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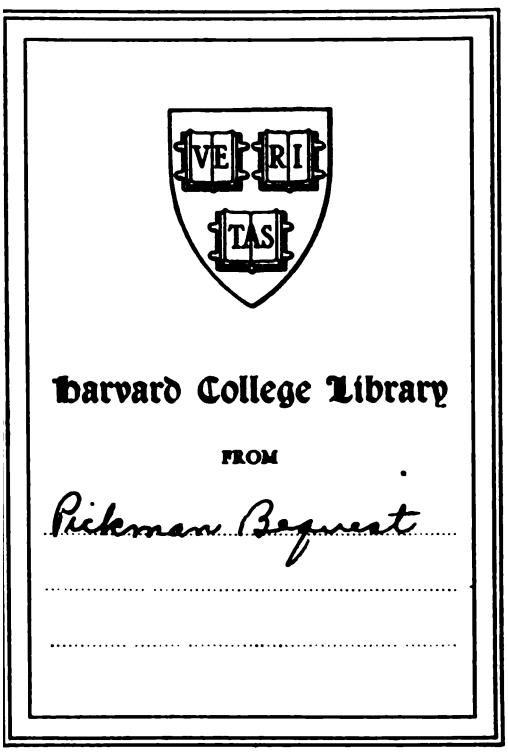

MEMOIRS

OF THE

FEDERAL ADMINISTRATIONS.

VOLUME II.

MEMOIRS

OF THE

ADMINISTRATIONS

OF

WASHINGTON AND JOHN ADAMS,

EDITED FROM THE PAPERS OF

OLIVER WOLCOTT,

SECRETARY OF THE TREASURY.

BY GEORGE GIBBS.

"NULLIUS ADDICTUS JURARE IN VERBA MAGISTRI."

IN TWO VOLUMES,

VOL. II.

NEW YORK:
PRINTED FOR THE SUBSCRIBERS.
1846.

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NO. 39 WILLIAM STREET.

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[a] By an oversight, this is entitled in the body of the work the Second Session. The error was not discovered until too late for correction.

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MEMOIRS

OF THE

FEDERAL ADMINISTRATIONS.

CHAPTER I.

FIFTH CONGRESS—SECOND SESSION.

FROM WILLIAM SMITH.

LISBON, August 24, 1797.

Dear Sir,

I flatter myself that you will hear with much pleasure of my safe arrival here, after a passage of twenty-seven days from the Capes of Delaware. We suffered no accident at sea, or delay, except of about two hours, to undergo an examination from a small French squadron, which after a visit, allowed us to pass unmolested. By some papers which I transmit to Col. Pickering by this opportunity, it appears there is a practice of counterfeiting American sea letters and registers. The consul informs me that he believes the practice is very extensive and requires a prompt remedy; he knows of an English vessel provided with an unlawful sea letter, purporting to be an American one, which was once examined by a French privateer and suffered to proceed on her voyage, for which valuable service, the captain of the vessel was rewarded by the owners with the sum of thirty pounds. I have desired him to collect all the information he can on this subject, which shall be at once transmitted. I understand this would be a very excellent market for our tar, if it were manufactured with more care; a vast quantity of Swedish tar is bought and that of the United States is rejected, because it is badly made, being mixed with sand, or otherwise unfit for market. This is deserving of your attention. Mr. Steele may perhaps communicate this subject to some of his friends in North Carolina. Flour is sometimes admitted here, and even rice has found a good market, owing to the loss of so many Brazil ships. The French have made dreadful havoc among them. We have no certain accounts from Lisle, and rumours vary every day on the subject of peace. What think you of Talleyrand's appointment? what effect will it produce on our affairs? I am in hopes that the want of money and union in France, will bring about peace; the present moment appears favourable to England. The government of Portugal have been obliged to issue a paper currency, in order to defray the expenses incurred by their preparations for defence. They have equipped a

squadron and raised a considerable land force. The sum issued is a million and a half of dollars, payable at the treasury at the end of a year, with 6 per cent. interest. They are a tender in law, and are already in extensive circulation without any depreciation. As there are neither banks nor any other paper currency; these bills, if they maintain their credit, will be very convenient as a medium of negotiation. I cannot be so unreasonable as to expect to hear often from you, because I know how much your valuable time is pre-occupied; and yet, I cannot help suggesting how much I shall be gratified by hearing frequently from you. Your letters will always be extremely interesting, whether they refer to any general subjects, or to the department which flourishes under your administration, and in the prosperity of which I have always felt more than a full share of satisfaction.

The friendship with which you have honoured me, I shall always remember with the liveliest sensations, as well as the very many proofs you have given me of it. With the sincerest regard, I am, dear sir, your most obedient servant,

WILLIAM SMITH.

FROM RUFUS KING.

LONDON, Oct. 24, 1797.

Dear Sir,

We are not informed how the negotiation in Italy has ended, nor indeed, are we sure that it may not be still continued. That with this country is entirely broken off. And it is here hoped that a like result may have attended the conferences at Udina.

The war between England and France is to go on, and it is probable that the war with the Emperor will recommence. But what is to be our situation? Our envoys are still at Paris, but not a lisp has transpired from whence we can form any opinion respecting the result of their mission. According to the short rules by which business is done at Paris, we may expect very soon to hear from them; not because they like us, but because their hatred to this country is extreme. I have never been convinced that they would go to war with us. There are however, causes, and in the present situation of France, very powerful ones, which have a great influence to induce them to go to war with us. I hope sincerely, that we may remain at peace, but our situation is too critical not to prepare, and that in earnest, for a war. The late naval victory has raised, and will contribute to support the natural courage of England, which the repeated efforts of the administration to conclude a peace, have lowered much more than has perhaps been imagined. Farewell. Yours, very truly,

R. K.

TO GEORGE WASHINGTON.

PHILADELPHIA, Nov. 24, 1797.

After a painful and inconvenient dispersion, the public officers have returned

to this city and resumed business. Congress has at length formed; the President's speech at the opening of the session, is enclosed. It is certain that the envoys have reached Paris. The report that they have been referred to Fauchet and Adet, is not confirmed, though by many it is considered as probable.

A Mr. Barker offered me five hundred dollars, a few days since, on account of a debt due to you by Mr. Shreve; if you are pleased so to direct, I will receive and remit you the money. Mr. Ross, to whom this business was referred, has not arrived. I repeat, that nothing will give me more pleasure, than to be able to render any services which you may be pleased to require. With the most perfect respect to yourself and Mrs. Washington, in which I am joined by Mrs. Wolcott, I remain your faithful and assured serv't.

The 13th of November was the time appointed for the meeting of Congress, but owing to fears of the sickness in Philadelphia, a quorum was not formed for some days after. The recurrence of this epidemic, and the inconvenience of convening the Legislature at any other place than the seat of government, were adverted to in the speech, and the President suggested that the law of 1794 should be so amended as to admit the postponing of the session without passing the constitutional limit. A bill introduced for this purpose, however, failed.

The speech was delivered on the 23d, and contained the usual summary of events. The arrival of the envoys in Europe was announced. Nothing, it was said, had occurred since the adjournment, which rendered unnecessary the precautionary measures recommended at the opening of the last session. A manifestation of energy and unanimity was advised as the most likely means of contributing to the preservation of peace. Whatever might be the result of the negotiations, and whether the war in Europe continued or not, a speedy restoration of public order could not be soon expected, so long and so deeply had the state of society been disturbed. Protective measures for our commerce, were therefore, at all events necessary. On this subject, the language of the speech was explicit and earnest. In regard to Spain, the difficulties arising from the delay of the au-

thorities to withdraw the garrisons from posts within our territories continued, and the running of the boundary line had not been commenced. In connection with this state of things, it was mentioned that foreign agents were busy on the western frontier, intriguing among the Indians, exciting them to form a confederacy, and preparing them for war against the United States. To obviate the consequences of these efforts, a law providing adequate punishments was necessary. The progress of the different boards of Commissioners under the British treaty, in their respective business, was adverted to. Several decisions had been made under the 7th article, and the awards paid. A provision would be necessary on the part of the United States, for compensation to British subjects, under the 6th article. Upon the subject of finances, the President urged the prevention of any accumulation of the national debt, and that the defence of the country, as well as the support of government, should be provided for as much as possible, by immediate taxes instead of by loans. With respect to foreign policy, the sentiments of Wolcott's letter of October 18th were adopted.

On the 28th, the answer of the House was agreed upon, and the several parts of the speech were referred to committees with instructions. The state of parties there, at the commencement of the session, was somewhat doubtful; on strong questions, the opposition even supposed itself to have a small, though uncertain majority.

The reports of the Secretary of the Treasury to the Commissioners of the Sinking Fund, and to the House, contained a more satisfactory account of the state of the national finances than in any previous year, and had not the threatening aspect of foreign affairs rendered necessary an extraordinary expenditure, the country might have dated from this period the commencement of a steady and permanent reduction of a debt which was destined

to be unfortunately increased. No further purchases of stock had been made during the year, the proceeds of the sinking fund and other appropriations having been applied to reimbursements; but besides the payments in January preceding, to the bank, the following sums had been expended in the discharge of the principal of the debt, viz:

To the second instalment of six per cent. stock, -	$641,674 76
To the payment of the temporary loans, - -	880,000 00
To the payment of an instalment of Dutch debt, - -	480,000 00
Amounting to - - - - -	$2,001,674 76

The estimates for the ordinary service for the year 1798, including the sums requisite for the payment of awards under the treaties with England and Spain, amounted to $2,423,849 96. The Secretary concluded:

"Though he observes with sincere satisfaction, that comprising the whole year, the revenue very considerably exceeds the estimates formed in December, 1796, and that it has been on the whole more prosperous than during any former period, yet he dares not encourage an expectation that the increase can be relied on as permanent. In particular, it will be noticed that the receipts from duties on imports and tonnage during the quarter ending September 30th, 1797, were somewhat less than in the corresponding quarter for the former year. Though this diminution may be attributed in some degree to a temporary stagnation of business in the port of Philadelphia during the last summer, yet it is to be apprehended that the revenue will, during the ensuing year, be impaired by the declension of commercial enterprise, occasioned by numerous captures and detentions of vessels of the United States."

The subject of military and naval expenditures came up in February. Sundry resolutions, passed at the close of the 4th Congress, had called for information on this head, and statements were accordingly furnished in detail, showing every sum advanced from the treasury, and its ultimate application.

The internal revenues were also the subject of a detailed report. A resolution had passed the House on the 6th of January, 1797, by which the Secretary of the Treasury was required "to lay before Congress, within

ten days after the commencement of each session, such a statement of the internal revenues as would ascertain with precision the nett produce thereof, and the expense of collection; also, a list of all the officers employed in that service, and the compensations allowed to each of them." The report was not furnished until the 23d February, the Secretary remarking that the papers "were received by him within the time limited by the resolution of the House, and if he had been satisfied that the representations therein contained were accurate, they would have been immediately transmitted." In consequence, however, of an intimation which he had received, that the motives which occasioned the delay might not otherwise be understood, he had made the communication, though in an imperfect form. This allusion was occasioned by the rumors excited by the removal of Mr. Tench Coxe, the commissioner of the Revenue, who was dismissed toward the end of December. Mr. Jefferson remarks on this, that as no cause was assigned for his removal, it was attributed to political motives. Mr. Coxe, at least, knew the cause, as Wolcott had informed him before it took place, that the charge preferred against him was that of "deliberate misconduct in office."

The statement exhibited the amount and kinds of these taxes for the year 1795–'96—the latest period to which perfect returns could be rendered.

STATEMENT OF THE INTERNAL TAXES.

Domestic distilled Spirits,	$418,1848 9
Sales at auction,	43,169 49
Snuff paying duty per pound,	280 54
Snuff Mills,	17,124 80
Refined Sugar,	63,752 30
Carriages,	40,790 00
Retailers' Licenses,	63,763 68
Total amount of revenues,	$647,065 70
Total charges of collection,	88,585 08
Net amount of Revenue,	$558,480 62

It is worth remarking that, in a report on the compensation of the officers of the excise, made by Wolcott during the present session, it was stated that on the basis proposed by him, the expenses of collecting these revenues but little exceeded the average proportion which attended the collection of import duties in other districts than Boston, New York, Philadelphia, Baltimore and Charleston.

More particular information than was contained in the President's address concerning the situation of affairs on the Mississippi, was communicated in a report of the Secretary of State. It exhibited the proofs of the activity of France in the creation of difficulties, and a satisfactory demonstration that the bad faith of the Spanish authorities had been caused, not by any belief in the preposterous tale of intended invasion from Canada, but by an expectation that war would have been declared between the United States and the French government, in which Spain would have been necessarily involved. In the meantime, they had tampered with the Indians, and strengthened the fortifications that should have been given up. The navigation of the Mississippi had been obstructed, and attempts made to enforce Spanish authority among the settlers. Nothing but the temperate conduct of the American commissioner had prevented actual collision.

The early part of the session passed away without the conclusion of any business of importance. A number of private bills were enacted, some modifications made in the revenue laws, and the time at which the stamp act was to take effect was postponed. The act regulating foreign gold and silver coin was also suspended, so as to make such coins a legal tender for the further term of three years, a measure rendered necessary by the limited circulation of those of the United States.

FROM GEORGE WASHINGTON.

MOUNT VERNON, 17th Dec. 1797.

Dear Sir,

Your letter of the 24th ult. has been duly received, but one cause or another has prevented the acknowledgement until now, when I thank you for the President's speech which it enclosed, and your obliging offer to render me any services I might need in Philadelphia. * * * *

It is time to hear what the reception of our Envoys at Paris has been, and what their prospects are. It surely cannot be that Fauchet and Adet are appointed by the Directory to negotiate with them! If the fact, however, be otherwise, it requires not the spirit of divination to predict the issue.

I cannot conclude without offering you my condolence, and I do it sincerely, on the death of your worthy and much respected father.[a] As it was an event, however, which for some time has been expected, you could not have been unprepared for the stroke, and amidst the affliction, you have the consolation to know that he died "full of years and honours," and regretted by all who knew him. With best respects for Mrs. Wolcott, in which I am joined by Mrs. Washington and Nelly Custis, I am, my dear sir, your sincere and affectionate friend,

GO: WASHINGTON.

TO GEORGE WASHINGTON.

PHILADELPHIA, Jan'y 12, 1798.

* * * *

No despatches have been received from France. The prospect of accommodation is unfavourable, not to say desperate. In Congress there appears to be a languor and want of union which forebodes no good.

The condolence which you are pleased to express on account of the bereavement which I have suffered, has, I trust, made a proper impression on my mind; and I hope that the consolations which the occurrence admits, are also suitably appreciated. Considering the prospects of our country, it appears to me that death can have no terrours for those who have had the felicity to be the benefactors of their age.

FROM GEORGE CABOT.

BROOKLINE, January 19th, 1798.

My Dear Sir,

It would not be easy to describe to you the pleasure it gave to Mrs. C. and me to see our son warm from your fireside. His unaffected relation of the manner in which we were recognized through him, seemed to place us at the corner of

[a] Governor Wolcott died in December of this year.

Fourth and Spruce streets, where we had passed our most agreeable hours. When may we have the pleasure of meeting you and Mrs. Wolcott in this part of the country? I hardly know on what grounds my hopes have rested, but certainly I have persuaded myself that you made a half promise of that sort.

I rejoice to hear that you have finally expelled a traitor from the treasury, who never deserved to have been trusted. The toleration of such a fellow in office after his duplicity was known, indicates truly a weakness in the government, and I have never yet believed that this kind of policy was wise. Let the government be just and upright in everything; but the higher it holds its head, the more people will look up to it; but if it abuses itself even by the affectation of humility, it will certainly be despised and trampled under the feet of barbarous democrats.

I have late letters from Europe, which mention the designs of France to plunder Hamburg and invade Denmark, and that Prussia is beginning to ferment with Jacobin leaven, which, if it works powerfully, is to be accompanied by a Jacobin invasion. These projects, with those meditated against Spain and Portugal, are sufficient to occupy the Parisian horde till a new convulsion may call them to their own dens. In the meantime we are learning something, though slowly, on this interesting subject. I keep my house, but sometimes scribble for the good of others. In the first page of the Mercury of this day, I appear as "A Sincere Lover of my Country," and am preparing to appear again as a "Political Monitor." Thus you see, I try a little to help in the good cause. Whenever I can serve you, but at no other time, write me. Yours, fideliter,

G. CABOT.

FROM GEORGE WASHINGTON.

MOUNT VERNON, 22d Jan., 1798.

Dear Sir,

* * * *

It is somewhat singular that the government should have received no advices from our Envoys at Paris, since their arrival there about the 20th of September, when accounts are detailed from thence as late as the middle of November. It is as necessary sometimes, to be acquainted with the worst, as to know the best that can happen in matters of moment, and where facts cannot be narrated, to substitute conjecture, declaring it to be such. I cannot, even under the unpleasant aspect of things, believe the French Government mean to enter into a war with this country; but can satisfactorily to my mind, account for its proceeding the length it has. I may be mistaken, however. It is intoxicated with success, and when that is the case, nothing is too absurd or unjust to be encountered.

Mr. Monroe, I am told, appears in a voluminous work! What is said of it? A writer under the signature of Scipio, will, I conceive, work him pretty well. Who is Scipio? I am fishing for no secrets, but if the author is known or conjectured on good grounds, I should like to know who he is. From whence proceeds the apparent harmony—perhaps it would be more correct to say—calm in Congress? Is it from want of matter to ferment the passions, or because a change

of sentiment (which I cannot flatter myself is the case) has taken place in the minds of the opposition members ?

I asked your opinion (on a small bit of paper enclosed in my last) with respect to a particular character whose name was then mentioned, but no answer was given in your last. If your silence proceeds from an unwillingness to touch on the subject, I drop it. If because it did not appear before you at the time of writing and was forgot, I renew it. At all times you will find me your sincere friend and affectionate servant,

GO: WASHINGTON.

Mrs. Washington and Nelly Custis unite with me in every good wish for Mrs. Wolcott.

The following questions seem to have been proposed by the President, at this time, for the consideration of the cabinet. What action was taken upon them is not known, no written reply being found among Wolcott's papers. The document is chiefly curious, as showing that the event which actually occurred was preconsidered.

FROM THE PRESIDENT.

PHILADELPHIA, January 24, 1798.

The President of the United States requests the Secretary of State, the Secretary of the Treasury, the Secretary of War, and the Attorney General, to take into their consideration the state of the nation, and its foreign relations, especially with France. These, indeed, may be so connected with those with England, Spain, Holland, and others, that perhaps the former cannot be well weighed without the other. If our Envoys Extraordinary should be refused an audience, or after an audience, be ordered to depart without accomplishing the objects of their mission,

1. They may repair to Holland ; or, 2. Two of them may return home, leaving one abroad ; or, 3. All of them may return to America.

In the first case, will it be prudent to call them all home ? and in the second, to recall the one ?

In any of these three cases, what will be necessary or expedient for the executive authority of government to do here ?

In what manner should the first intelligence be announced to Congress ; by message or speech ?

What measures should be recommended to Congress ? Shall an immediate declaration of war be recommended or suggested ? If not, what other system shall be recommended, more than a repetition of the recommendations heretofore repeatedly made to both houses ? Will it in any case, and in what cases, be advisable to recommend an embargo ?

What measures will be proper to take with Spain? What with Holland? What with Portugal? But above all, what will policy dictate to be said to England, and how shall it be said? by Mr. King or to Mr. Liston? and how shall it be conveyed to Mr. King? by packet, or any ordinary conveyance; or by some special, trusty, and confidential messenger? Will it not be the soundest policy, even in case of a declaration of war on both sides, between France and the United States, for us to be totally silent to England, and wait for her overtures? Will it not be imprudent in us to connect ourselves with Britain, in any manner that may impede us in embracing the first favourable moment or opportunity to make a separate peace? What aids or benefits can we expect from England by any stipulations with her, which her interest will not impel her to extend to us without any? On the brink of the dangerous precipice on which she stands, will not shaking hands with her necessitate us to fall with her, if she falls? On the other hand, what aid could we stipulate to afford her, which our own interest would not oblige us to give without any other obligation? In case of a revolution in England, a wild democracy will probably prevail for as long a time as it did in France; in such case, will not the danger of reviving and extending that delirium in America, be increased in proportion to the intimacy of our connection with that nation?

JOHN ADAMS.

In regard to an alliance with England, the views of the President may be gathered from the form of the question. His opinion is, moreover, distinctly stated to have been against it, in a letter from Col. Pickering to Mr. King, of April 2d; and it is believed that in this, the cabinet were unanimous, thinking that stipulations that neither of the contracting parties would make peace without the other, had, in experience, proved of little efficacy amidst the vicissitudes of war; and that, if once earnestly engaged in war against the same enemy, agreements for coöperation, from time to time, would be preferable. From the same letter, it seems that the government were satisfied that Spain should hold Louisiana, but not that it should be transferred to France, (as it was supposed had already been done secretly); and that, as the treaty of alliance between those two countries would, in case of war with the latter, necessarily involve us with the former also, it might become necessary to seize on Louisiana and West Florida, to prevent France from having them.

TO GEORGE WASHINGTON.

PHILADELPHIA, January 30th, 1798.

* * * *

No letters have been received by the government from the envoys. It is certain that they were not received at the beginning of November, and it was then General Pinckney's opinion that they would not be. I suspect that their despatches have been intercepted. The merchants here believe that an embargo has been laid on all American vessels. Mr. Monroe's book[a] is a wicked misrepresentation of facts; his conduct is detested by all *good* men, though I am sorry to say that *many* applaud it. I have good grounds for believing Mr. Tracy to be author of "Scipio;" but this is not, and I believe will not be, generally known. As respects your character, and the merits of your administration of the government, Mr. Monroe's book will make no impression beyond the circle of Tom Paine's admirers.

The opposition in the House have made a formal attack on the Executive; but I think they will be defeated with loss. Lately there have been indications that the spirit of the friends of government, in and out of the Legislature, is rising.

FROM FISHER AMES.

DEDHAM, February 2d, 1798.

Dear Sir,

I entertain too just a sense of the duty and respect that I owe to the President and to the government, to delay communicating the result of my reflections, on the question of accepting the appointment to the Cherokee mission. I confess my first sentiments were favourable to it. With my habits and sentiments, the first thought was, of course, to obey. Since, however, I cannot but anticipate embarrassment and difficulty in arranging my affairs so as to leave them; an absence from my professional engagements, only for a few months, would render me a very uncertain man, in the opinion of clients, to employ. Thus some immediate sacrifice, and more in anticipation, combine to detain me in a situation which affords me a moderate provision for my family. The allowance heretofore made to Indian commissioners will be, and I perceive is a rule, in this case. It is very probable many persons, more competent to the duty than I can pretend to be, will be found, whose situations will permit them to serve. But I will not conceal from you my opinion, that it would be attended with a greater pecuniary sacrifice than I conceive I ought to make. Indeed, what would remain of the compensation would not maintain my family in my absence, unless I make very erroneous calculations. I know that more important offices are holden under the government, notwithstanding similar discouragements exist.

My motive for an early suggestion of my probable decision, is grounded on

[a] "A View of the Conduct of the Executive in the Foreign Affairs of the United States, connected with the Mission to the French Republic during the years 1794, 5 and 6, by James Monroe," &c. &c. 8vo. Phila., 1797.

the importance of an early and punctual attendance of the Commissioners. This letter will call the attendance of the heads of departments to the selection of some other person in my stead. It is, however, intended as confidential. While you are engaged in the *ardua regni*, I am sensible my reasons for declining wear an ill face. If I had good health and no family, I might be liable to be called upon as a patriot, however feeble my pretentions to that character may be. I am very sincerely yours,

FISHER AMES.

TO FREDERICK WOLCOTT.

PHILADELPHIA, February 27th, 1798.

* * * * *

I am really pained for the worthy and honourable men who now have any thing to do with public business, especially in Congress. Their situation is humiliating; they can do but little good, and doing nothing, in the present state of our country, is attended with almost as bad effects as would result from bad measures. My hopes respecting the present government are almost extinguished.

We hear nothing from France. I expect, however, that the ministers, after being treated with insult and indignity, will be received. The Directory know our situation. They are too wise and politic to do anything which would rouse and unite the country. They expect to subdue us by means of faction, and by operations upon the timid and avaricious.

TO GEORGE WASHINGTON.

PHILADELPHIA, March 9, 1798.

I have just received a letter for you from General Putnam, which he put under cover to me, in answer to one transmitted by the request of Mr. McHenry. Despatches have been received from the envoys, but the contents are yet but partially known; it is certain that no progress towards an accommodation has been made, and not a hope of success exists, while the present men shall continue at the helm of affairs. The system of France is the most insolent, presumptuous, and profligate, which the annals of mankind have disclosed; and no nation within the reach of their power, can expect any thing, either from their justice or moderation.

Mrs. Wolcott joins me in respects to Mrs. Washington and Miss Custis.

Congress were engaged in discussing the question of permitting merchant vessels to arm for their own defence, when these, the first despatches received since the arrival

of the envoys at Paris, reached Philadelphia. The earlier had been sent by a vessel of November 28th, but owing to the delays incident to a winter's passage, none reached the seat of government until March 4th. The one latest in date, that of the 8th of January, announced the passage of a decree, rendering prize all neutral vessels having on board merchandize and commodities, the production of England, and closing the ports of France, except in cases of distress, against such as in the course of their voyage should have touched at a British port. This despatch was, the next day, sent to Congress, and its publication excited, as may well be supposed, no small sensation in the mercantile community. The remaining papers which were in cypher, were destined, when made public, to rouse the nation at large.

The following note, in Wolcott's handwriting, appears to have been presented by him, as a draught of the message in which the failure of the negotiation should be announced to Congress.

"19 March, 1798. The despatches from the envoys of the United States to the republic of France, which were referred to in my message of the 5th instant, have been maturely considered. While I feel satisfaction in informing you that their exertions for the adjustment of the differences between the two nations, have been sincere and unremitted, it is incumbent on me to declare that I perceive no ground of expectation that the objects of their mission can be accomplished on terms compatible with the security, honour, and essential interests of the nation.

This undesirable result cannot, with justice, be attributed to a want of moderation on the part of this government, or a determination not to surrender secondary interests for the preservation of peace. Believing it to be a duty, and knowing it to be your wish, as well as that of the great body of the people, to avoid, by all reasonable and fair concessions, any participation with the contentions of Europe, the powers vested in our envoys were commensurate with a liberal and pacific policy, and that high confidence which might be justly reposed in the abilities, patriotism, and integrity of the characters to whom the negotiation was committed. After a careful review of the whole subject, with the aid of the information which I have received, I perceive nothing which could have ensured success that has been omitted on my part, and nothing further which can be attempted consistently with maxims for which our country has contended, and which constitute the basis of our national respectability and independence.

Under these circumstances, I cannot ferbear to reiterate the recommendations which have been made, and to exhort you to adopt promptly such measures, as are afforded by the ample resources of the country, for the protection of the persons and property of our seafaring and commercial citizens; for the defence of any vulnerable portions of our territory; and such efficient supplies of revenue as will be sufficient to defray extraordinary expenses, and supply the deficiency which may be occasioned by depredations on our commerce. In all your proceedings, it will be important to manifest a real vigour and concert in defence of the national rights, proportioned to the danger with which they are threatened."

The message, which was adopted, followed nearly the words of this paper; it concluded with the announcement that the existing state of things was so essentially different from that in which the instructions had been given, to restrain vessels of the United States from sailing armed, that the principle on which those orders were issued had ceased to exist, and the President no longer considered himself justified in continuing them except in particular cases.

This, as Mr. Jefferson termed it, "insane message," produced a marked effect upon the House of Representatives. An attempt was made by the French party to parry its influence, by the introduction of a resolution, declaring "that it was inexpedient to go to war with France," but before they had obtained a vote upon the question, a call prevailed for the despatches, and the famous X. Y. Z. papers were transmitted to them. A review of these documents is essential to a just appreciation of the conduct of France, and of the patriotism of her American partisans.

The envoys had reached Paris on the 4th of October. They found the situation of affairs in France little calculated to ensure a fortunate result to their mission. Her unlimited success upon the continent, was in itself a most unfavorable circumstance. There her victories had been universal, and her whole force, directed by the genius of Buonaparte, was now to be turned against her last enemy—England. Such was not a moment for unarmed

neutrals to obtain justice or reparation. A change, too, had taken place in the government, and at the head of the new administration stood Talleyrand, as Minister of Foreign Affairs—a man whose natural bias towards intrigue would probably not be diminished in the case of this negotiation, by the insight into American parties, gained during his residence in the United States.

On presenting themselves to Talleyrand, he informed them that the Directory had required him to make a report relative to the situation of the United States with regard to France, which he was then about, and which would be finished in a few days, when he would let them know what steps were to follow. In the meantime, cards of hospitality were sent them in a style suitable to their official character. On the 14th, they received a notification through M. Osmond, Talleyrand's secretary, that the Directory were greatly exasperated at some part of the President's speech at the opening of the extra session of Congress, and would require an explanation from them. They were likewise told that they would probably not have a public audience of the Directory, until their negotiation was finished; that persons might be appointed to treat with them, but they would report to Talleyrand, and he would have the direction of the negotiation. A few days after, communications were in fact opened with the envoys, by persons representing themselves to be, as they no doubt were, employed by M. Talleyrand. They were M. Hottinguer, M. Bellamy and M. Hauteval. The initials X., Y. and Z., by which they are generally known, were substituted for their names by Col. Pickering, in pursuance of a promise that they should not be made public. The office of these gentlemen during the continuance of their visits, was discharged with much apparent mystery and circumlocution, and they produced no written credentials; but being well-known characters, and having announced themselves as messengers from the

minister, none were sought for, nor did any doubt exist but that they acted by authority.

The negotiation, if it deserves the name, was commenced by M. Hottinguer, who called on General Pinckney by appointment, and informing him that M. Talleyrand was desirous of a reconciliation between France and America—offered, if it was thought proper, to suggest a plan confidentially, which the minister thought would answer the purpose. On General Pinckney's expressing his willingness to hear it, M. Hottinguer stated, as M. Osmond, had before done, that the Directory, and particularly two members of it, were exceedingly irritated at some passages in the President's speech, and desired that they should be softened; that this step would be necessary previous to the reception of the envoys; that besides this, a sum of money "was required for the pockets of the Directory and ministers, which would be at the disposal of M. Talleyrand," and that a loan would also be insisted on. If the envoys acceded to these measures, Talleyrand had no doubt that all differences could be accommodated. The exceptionable passages in the speech, M. Hottinguer could not specify, nor the amount of the loan, but the douceur, he said, amounted to about £50,000 sterling. These overtures General Pinckney immediately communicated to his colleagues, and it was agreed that M. Hottinguer should be requested to repeat them to all, and for fear of mistakes, to reduce them to writing. On an application to this effect, that gentleman promised to do so, stating that his communication was not directly from the ministers, but through another person who was in Talleyrand's confidence. On the evening of October 19th, accordingly, he left with the envoys the first set of propositions in writing. The effect of this note was, that "a person who possessed the confidence of the Directory on what related to the affairs of America, convinced of the mutual

advantages which would result from the reëstablishment of a good understanding, proposed to employ his influence to obtain that object, and would assist the commissioners of the United States in their demands on the French government, inasmuch as they might not be contradictory to those which he himself proposed to make, and of which the principal would be communicated confidentially." As a preliminary to the employment of his influence, "a softening turn" was to be given to those parts of the President's speech which had irritated the Directory. The nomination of commissioners to decide on reclamations, it was said, would then be consented to on the same terms as in the treaty between the United States and England; the sums awarded against France, were however, to be advanced by the United States, and it was desired that the funds which by this measure should again enter into American trade, should be employed in new supplies for the French colonies. A "masked loan" was also demanded, from which should first be taken "certain sums for the purpose of making the customary distributions in diplomatic affairs." The person of note mentioned in this paper, M. Hottinguer said, was Talleyrand himself. The amount of the loan he could not state precisely, but understood it would be according to the ability of the United States to pay; the sum for distribution would be 1,200,000 livres. He promised further information in a day or two; but on the 20th, announced that M. Bellamy, the confidential friend of M. Talleyrand, instead of communicating through him, would see them himself, and make the necessary explanations. On the same evening he introduced that gentleman, who immediately stated to the envoys the favorable impressions of Talleyrand towards the United States, arising from the civilities he had received there; that "impressed by his solicitude to repay those kindnesses, he was willing to aid them in the present negotiation by his good offices with the Directory,

who were, he said, extremely irritated against the government of the United States on account of the President's speech, and who had neither acknowledged nor received them, and consequently, had not authorized M. Talleyrand to have any communication with them." Talleyrand, he continued, could not see them himself, but had authorized him to communicate certain propositions, and to receive their answers, and to promise on his part, that if the envoys would engage to consider them as the basis of the proposed negotiation, he would intercede with the Directory to acknowledge them and give them a public audience. In making these statements, M. Bellamy expressly disavowed any other character than that of a friend of Talleyrand, and as such, trusted by him. In further explanation of Talleyrand's views, he communicated a copy of the speech with the passages referred to, marked upon it, and also a second set of propositions which were dictated by him and written down by M. Hottinguer, in the presence of the envoys.

In these was demanded "a formal disavowal in writing," declaring that the speech of President Barras did not contain anything offensive to the United States, nor anything which deserved the epithets contained in the whole paragraph; an atonement for the remarks, by a declaration that the decree of the Directory mentioned in it, did not contain anything contrary to the treaty of 1778; and a declaration that it was not intended that the government of France or its agents, had intermeddled in the affairs of the United States. In consideration of these reparations, France was disposed to renew with the United States a treaty which should place them reciprocally in the same state as in 1778, reserving to the former the advantages stipulated by the British treaty in favor of that power. "A secret article of this new treaty would be, a loan to be made by the United States to the French republic; and once agreed upon the amount of the loan, it

would be endeavored to consult the convenience of the United States with respect to the best means of preventing its publicity." M. Bellamy at this interview, dilated at length upon the resentment produced by the President's speech, and on the satisfaction for it which must precede negotiation; but "this satisfaction being made, the essential part of the treaty remained to be adjusted; MONEY—MUCH MONEY WAS NECESSARY." The same language was held at subsequent interviews, and with even more openness of corruption. The Directory was for a valuable consideration, willing to sacrifice even their lofty indignation. It was, said M. Bellamy, "jealous of its own honor and the honor of the nation; it insisted on receiving the same respect with which the king had been treated, and this honor must be manifested in the manner before required, unless the envoys substituted in the place of those reparations, something perhaps more valuable; that was MONEY." This, and a slavish submission to their other demands, was to be the price on which alone they would consent even to open negotiations. Nor was the result of negotiations thus to be bought, left to imagination. If the envoys, they were told, satisfied the Directory that their powers were ample, France would then consent that Commissioners should be appointed to ascertain the claims of the United States, in like manner as under our treaty with England; but no reparation would be made for vessels seized for want of a *rôle d' equipage*, as "Merlin, while Minister of Justice, had written a treatise" on the subject—that Merlin, who, M. Bellamy said, would receive none of the douceur, because he was already paid by the privateers!

Thus far the American negotiators seemed to have listened to these propositions with a view to learn the true intentions of France. To prevent further spoliations until measures could be adopted at home, they offered that one of their numbers should return for fresh instructions, pro-

vided hostilities were in the meantime suspended. This was refused. To the claim of satisfaction, they answered that neither M. Bellamy nor the minister, could imagine that such a proposition could require an answer; to the demand of the bribe as an alternative, that they would not pay a sixpence.

About the 27th of October, news reached Paris of the signing of definitive articles of peace with the Emperor. The tone of the government towards the United States and other neutrals, became more decisive. The trial of prizes was ordered to be hastened, and to judge was to condemn. The Directory, said M. Hottinguer in a visit on that day, "were becoming impatient, and would take a decided course with regard to America, if the envoys could not soften them." The danger of war was intimated as the result of a refusal to comply with its wishes. At this time, Talleyrand, finding that his agents made no progress in the business, condescended to appear in person in the affair. M. Hauteval, the third of the triumvirate, had informed Mr. Gerry that the minister had expected to have seen the envoys frequently in their private capacities, and had authorized him to make the communication. It was agreed that Mr. Gerry, who had known him in America, should accordingly call upon him. On the 28th the interview took place; M. Talleyrand began the conference. He said that the Directory had passed an article, in which they demanded of the envoys explanations of some parts, and reparations for others of the speech; he was sensible that difficulties would exist on their part relative to the demand, but he thought that *on their offering money*, he could prevent the effect of the arrête.

Mr. Gerry replied to Talleyrand, that the uneasiness of the Directory, with respect to the speech, was a subject unconnected with their mission; that M. Barras, in his speech to Mr. Monroe, had expressed himself in a man-

ner displeasing to the government and the citizens of the United States; that the President had made such observations upon it as were necessary to vindicate the honor of the United States; that this was not considered by the American government as a subject of dispute between the two nations; and that, having no instructions on the subject, they could make no explanations or reparations relating to it. He further stated, that their powers were adequate to the discussion and adjustment of all points of real difference between the two countries, to the amendment of the treaty, or the making a new one; that as to a loan, they had no powers; but if the other subjects could be discussed and adjusted, they could send one of their number home for instructions. As M. Talleyrand had expressed a desire to see the envoys individually, it was Mr. Gerry's wish that he should see his colleagues on the subject. To this Talleyrand, in answer said, "that he should be glad to confer with the other envoys individually; but *that this matter about the money must be settled directly*, without sending to America; that he would not communicate the arrête for a week; and that if they could adjust the difficulty respecting the speech, an application would nevertheless go to the United States for *a loan.*

The interview was here abruptly terminated by Talleyrand, who directed M. Hauteval to repeat to Mr. Gerry what he had said. Mr. Gerry then returned with that gentleman, and took down the particulars above stated, which he read to his colleagues in the presence of M. Hauteval, who confirmed it. The information was at once sent back to the minister, that the other envoys had nothing to add to this conference, and did not wish the arrête delayed on their account. It must here be noticed that M. Talleyrand repeated the same propositions which had before been made by the agents, distinguishing the "matter of *the money*, which must be settled directly,"

from the *loan*, respecting which they could send to America.

The conference between Talleyrand personally, and the envoys, having produced no result, the inofficial agents were again set to work. M. Hottinguer called on the following day, and stated that the minister was extremely anxious to be of service to them, and had requested that one more effort should be made to induce them to enable him to be so. It was now proposed that, if the envoys would pay, "by way of fees," the sum demanded for private use, the Directory would permit them to remain in Paris as they then were, and they should be received by M. Talleyrand, though without being recognised, until one of them could go to America, to consult the government on the subject of the loan. France would, however, neither deliver up the property of Americans, then under adjudication, nor even suspend further depredations. This visit was followed by another, in which he was accompanied by M. Bellamy.

Events in the south of Europe; the growing influence of Talleyrand with Buonaparte, and with the Directory; the contemplated invasion of England, had heightened the confidence of that minister, and added new arrogance to the language of his emissaries. M. Bellamy spoke openly of the dangers which menaced America, in case of a noncompliance with the demands of France; "THE FATE OF VENICE WAS ONE WHICH MIGHT BEFAL THE UNITED STATES." From an alliance with England, he said, nothing could be hoped; her power was on the wane, and must soon be annihilated. The influence of France in America, was bravely asserted. "Perhaps," said M. Bellamy, "you believe that in returning and exposing to your countrymen the unreasonableness of the demands of this government, you will unite them in their resistance to those demands. You are mistaken; you ought to know that the diplomatic skill of France, and the means she

possesses in your country, are sufficient to enable her to throw the blame which will attend the rupture of the negotiations, on the federalists, as you term yourselves; but on the British party, as France terms you; and you may assure yourselves this will be done." Talleyrand would not now consent to lay the propositions before the Directory, without previously receiving the fifty thousand pounds, or the greater part of it; he would give no assurance that they would be listened to even then.

In narrating these conferences, little has been repeated which proceeded from the American envoys. It is enough to say, that their language was worthy of themselves and their government. The approaches of the agents were met with becoming firmness, but with a cautiousness of expression dictated by their sense of policy. In their despatches to the government the details of the interview with Talleyrand and his emissaries, of which merely the leading features have been here given, were narrated at length, and no chapter of our history is more humiliating than that which they disclose. The personal neglect and indignity suffered by the ambassadors, is in itself painful enough; how much more so the reflection that the character of party spirit did not permit them to repel the insults offered through them to their country, and the consciousness that Americans had themselves invited those insults.

On the first of November, it was resolved to hold no more indirect intercourse with the government. This determination was communicated to M. Hottinguer, but the visits were continued, and every attempt made to shake the resolution of the envoys. "Intelligence," they were told, "had been received from the United States, that if COL. BURR and MR. MADISON had constituted the mission, the differences between the two countries would have been accommodated before that time." The envoys afterwards, by a letter to M. Talleyrand, again endeavored

to obtain an official recognition, but ineffectually; no answer being returned. In Mr. Gerry's private intercourse with the minister, the latter sought only to renew the propositions which had been rejected.

On the 13th of December, Mr. Gerry, in company with M. Bellamy, called to invite him to dinner, in return for a similar compliment before paid himself. The proposals having previously been a subject of conversation, Mr. Gerry observed to Talleyrand, that "M. Bellamy had stated to him that evening, certain propositions as coming from him, respecting which he could give no opinion." To this remark Talleyrand replied, "that the information M. Bellamy had given him was just, and might always be relied on; but that he would reduce to writing his propositions." This he did, and having shown them to Mr. Gerry, *burnt the paper*. Its substance was, according to Mr. Gerry, as follows:

"That the envoys should come forward generally, and say:

"France has been serviceable to the United States, and now they wish to be serviceable to France; understanding that the French republic has sixteen millions of Dutch rescriptions to sell, the United States will purchase them at par, and will give her further assistance, when in their power. The first arrangement being made, the French government will take measures for reimbursing the equitable demands of America, arising from prizes, and to give free navigation to their ships in future."

The envoys at length became satisfied that no prospect existed of their honorable reception. "We are all of opinion," they wrote to the Secretary of State, "that if we would remain here six months longer, without we were able to stipulate the payment of money, and a great deal of it, in some shape or other, we should not be able to effectuate the objects of our mission, should we be even officially received; unless the projected attempt on England was to fail, or a total change take place in the persons who at present direct the affairs of this government." The justice of their conclusion was proved by the passage,

a few days after, of the arrête of which mention has already been made, as having been received with the despatches.

Subsequent messages of the 4th May, the 5th and 18th of June, transmitted to Congress the despatches afterwards received. Towards the close of January, after waiting in vain for an official reply to their previous communication, the envoys had addressed a letter to M. Talleyrand, in which the relations between the United States and the French republic were reviewed at large. This document, understood to be from the pen of Mr. Marshall, is a monument in the diplomacy of America. Its conclusion may properly be extracted.

"Perceiving no probability of being allowed to enter, in the usual forms, on those discussions which might tend to restore harmony between the two republics, they have deemed it most advisable, even under the circumstances of informality which attend the measure, to address to your government, through you, this candid review of the conduct, and this true representation of the sentiments and wishes of the government of the United States. They pray that it may be received in the temper with which it is written, and considered as an additional effort, growing out of a disposition common to the government and people of America, to cultivate and restore, if it be possible, harmony between the two republics. If, Citizen Minister, there remains a hope that these desirable objects can be effected by any means which the United States have authorized, the undersigned will still solicit, and will still respectfully attend the developement of those means.

If, on the contrary, no such hope remains, they have only to pray that their return to their own country may be facilitated; and they will leave France with the most deep felt regret, that neither the real and sincere friendship which the government of the United States has so uniformly and unequivocally displayed for this great republic; nor its continued efforts to demonstrate the purity of its conduct and intentions, can protect its citizens, or preserve them from the calamities which they have sought, by a just and upright conduct, to avert."

To this letter no answer was for some time returned. The envoys thereupon prepared another, remonstrating against the decree of January 18th, and which concluded with the observation "that under existing circumstances they could no longer resist the conviction, that the demands of France rendered it entirely impracticable to ef-

fect the objects of their mission; and that, not being permanent ministers, but envoys extraordinary with full power for particular purposes, they deemed it improper to remain longer in France after the impossibility of effecting those purposes had been demonstrated."[a] Before, however, they took this step, and explicitly demanded their passports, they made a last attempt to obtain a recognition. In two several interviews with M. Talleyrand they again, and as fruitlessly, urged the objects of their embassy. Money was still the only terms on which he would engage to commence negotiations—submission the only end of the proposed treaty.

These interviews took place in the beginning of March. At both conferences, the propositions received through M. Bellamy were distinctly mentioned; at the second, Talleyrand was told that his demands were substantially the same as those which had been made by that person and by M. Hottinguer. The intervention of those persons was therefore on every occasion in which the envoys had come in contact with the minister, brought home to him; a fact necessary to be observed, as he afterwards pretended ignorance of their communications. It was not until the 18th of March, that an answer could be obtained to their letter of January 31st, during which time they continued, to adopt Marshall's language in his history of these transactions, "with a passiveness which must search for its apology in their solicitude to demonstrate to the American people the real views of the French republic, to employ the only means in their power to avert the rupture which was threatened and which appeared to be inevitable. Meanwhile," he continues, "occasion was repeatedly taken to insult the American government; open war was continued to be waged by the cruisers of France on American commerce; and the flag of the United States

[a] Vide letter of Envoys to Secretary of State of March 9th.

was a sufficient justification for the capture and condemnation of any vessel over which it waved."[a] The reply of the French minister was so important in its consequences, and will be hereafter so often referred to, that a particular review of its contents is requisite.

Talleyrand commenced with the remark that the first thing which must excite attention in the memorial of the commissioners, was the method which they had thought proper to pursue in the exposition of the points which were in dispute between the two states. The Executive Directory, he said, animated with dispositions the most conciliatory, had reason to believe that the envoys would have brought, in the name of their government, a temper previously prepared with the same views and the same desires. Instead of this, "reversing the well known order of facts," they had in their memorial aimed to pass over the just complaints of France, and to disguise the true cause of the misunderstanding which was prolonged between the two nations. The priority of grievances, he insisted, had belonged to the French republic; the injuries which the envoys had exhibited, were the necessary consequence of measures which the previous conduct of the United States had justified on the part of France. The complaints of the latter as set forth in the note of M. Adet of November 15th, 1796, were briefly enumerated, with a distorted historical sketch of the manner in which they had been urged and received. The principal of them, was the treaty between the United States and Great Britain, which "filled the measure of the grievances of the republic." In this treaty, everything having been calculated to turn the neutrality of the United States to the disadvantage of France and to the advantage of England; the federal government having made to Great Britain concessions the most unheard of, and the most incom-

[a] Life of Washington, V. 636.

patible with the interests *of the United States*, the French government was perfectly at liberty, in order to free itself from its inconveniences, to use the preservative means which the law of nature, the law of nations, and prior treaties furnished it. Such were the reasons which had produced the decrees of the Directory of which the United States complained, as well as the conduct of their agents in the West Indies. The subsequent conduct of the United States, it was said, had to these added fresh grievances; nor was the mission of the envoys calculated to remove them. The instructions under which they had acted had not been drawn up with the sincere intention of attaining pacific results, because, far from proceeding in their memorial upon some avowed principles or established facts, they had inverted and confounded both, so as to be enabled to impute to the republic all the misfortune of a rupture which they seemed willing to produce. It was "evident that the desire, plainly declared, of supporting at every hazard the treaty of London, which was the principal grievance of the republic," had dictated those instructions. The motive imputed to the United States for this course, was a design to prolong the misunderstanding with France, to throw the odium of it upon her, and finally "to seize the first favorable occasion to consummate an intimate union with a power, towards which a devotion and partiality was professed, which had long been the principle of the conduct of the federal government."

The intentions which Talleyrand thus attributed to the government of the United States, were, he said, so little disguised, that nothing seemed to have been neglected at Philadelphia to manifest them to every eye. It was probably with that view, that it was thought proper to send to the French republic "persons whose opinions and connections were too well known to hope from them dispositions sincerely conciliatory;" a selection in painful

contrast with the course pursued towards the cabinet of St. James'. An eagerness, he asserted, was then felt to send there ministers well known for sentiments corresponding with the objects of their mission. The republic might have expected a like deference, and if it had not been observed, it was to be attributed to the views above mentioned. He continued:

"It is impossible to foresee whither such dispositions may lead. The undersigned does not hesitate to believe that the American nation, like the French nation, sees this state of things with regret, and does not consider its consequences without sorrow. He apprehends that the American people will not commit a mistake concerning the prejudices with which it has been desired to inspire them against an allied people, nor concerning the engagements which it seems to be wished to make them contract to the detriment of an alliance, which so powerfully contributed to place them in the rank of nations and to support them in it; and that they will see in these new combinations the only dangers their prosperity and importance can incur.

"Penetrated with the justice of these reflections, and their consequences, the Executive Directory has authorized the undersigned to express himself with all the frankness which becomes the French nation. It is indispensable that, in the NAME of the Directory, he should dissipate those illusions with which, for five years, the complaints of the ministers of the republic have been incessantly surrounded at Philadelphia, in order to weaken, calumniate, or distort them; it was essential, in fine, that, by exhibiting their sentiments in an unequivocal manner, he should clear up all the doubts and all the false interpretations of which they might be the object.

"It is, therefore, only in order to smooth the way of discussions, that the undersigned has entered into the preceding explanations. It is with the same view that he declares to the Commissioners and Envoys Extraordinary, that notwithstanding the kind of prejudice which has been entertained, with respect to them, the Executive Directory IS DISPOSED TO TREAT WITH THAT ONE OF THE THREE, WHOSE OPINIONS, PRESUMED TO BE MORE IMPARTIAL, PROMISE, IN THE COURSE OF THE EXPLANATIONS, MORE OF THAT RECIPROCAL CONFIDENCE WHICH IS INDISPENSABLE."

Talleyrand concluded this extraordinary document with the remark, that the envoys being empowered separately as well as jointly, "nothing but the desire of preventing any accommodation could present any objection against this measure," and requested to be soon informed of their determination. It is evident from the most cursory glance, that this paper was prepared to produce

effect, not on the negotiators, but upon the American people, and studiously intended to give color to the idea, already circulated, that the conduct of the government had alone produced the difficulties, that of the ambassadors alone prevented their settlement. It was, in fact, in possession of a Jacobin newspaper in Philadelphia, before it reached the department of state. The envoys answered this production, ably and at length. Upon the proposition to treat with one of them alone, they said:

"The result of a deliberation on this point is, that no one of the undersigned is authorized to take upon himself a negotiation, evidently intrusted by the tenor of their powers and instructions to the whole; nor are there any two of them who can propose to withdraw themselves from the task committed to them by their government, while there remains a possibility of performing it.

It is hoped that the prejudices, said to have been conceived against the ministers of the United States, will be dissipated by the truths they have stated.

If in this hope they shall be disappointed, and it should be the will of the Directory to order passports for the whole or any number of them, you will please to accompany such passports with letters of safe conduct, which will entirely protect from the citizens of France, the vessels in which they may respectively sail, and give to their persons, suite, and property, that perfect security, to which the laws and usages of nations entitle them."

There are some circumstances connected with these transactions, which now require explanation, and which throw further light upon the course of events, than appears in the despatches themselves.[a]

It will be remembered that on the arrival of the three envoys, cards of hospitality, suitable to their rank, were sent to all; that a few days after, they were officially informed, that though the Directory probably would not give them a public audience until their business was concluded, yet that persons might be appointed to treat with them, who would report to the Minister of Foreign Affairs. It is, therefore, clear, that no original objection was made to Messrs. Pinckney and Marshall. But Talleyrand's

[a] Most of these facts will be found stated in Pickering's Review, Section IV, on the authority of Gen. Marshall's private journal, and other documents.

promised report to the Directory was kept back until the result of the southern campaign was ascertained. In the meantime the agents were set to work to prevail on the envoys to accede to the demands of the government; a door was left open for retreat in case it was deemed expedient; it was only when it was found that the two could neither be terrified or wheedled, and when external success had strengthened the position of the Directory, that the formal objection was made to Pinckney and Marshall, for which the way had been prepared by the faction in America. In this closing proposition to his last note, Talleyrand had not acted without his host. Mr. Gerry, contrary to the opinions of both his colleagues, had, soon after his arrival at Paris, made a visit to that minister whom he had known when in the United States, and became from that time, an object of especial attentions, in which, however, contempt was manifest to all but the recipient. So completely, however, did Mr. Gerry become the victim of the ex-priest, that he even imagined his colleagues to be envious of his good fortune. "They were wounded," he said, "and he was not surprised at it, by the manner in which they had been treated by the government of France, and the difference which had been used with respect to him."[a] Alternately the dupe of this vanity, or a prey to the terrors of war which were held up to him in addition, Mr. Adams' "own ambassador," was a fitting subject for the peculiar genius of Talleyrand on such an occasion. Through the autumn he prevented any efficient action on the part of his colleagues; "he apprehended that by hurrying, they would irritate the government." It was through his fears, the delays interposed by him, that the early winter months were in like manner frittered away; that while depredations continued on our commerce, and the Directory, in the very pre-

[a] Gen Marshall's Journal April 3—quoted in Pickering's Review, Section IV

sence of our ambassadors, were adding a new decree to their authorizations of piracy, they were kept idle in Paris, that he might dance attendance in the ante-chamber of Talleyrand. But another part was reserved for him. On the 4th of February, that minister, by order of the Executive Directory, had privately made to him the proposition of a separate negotiation! Mr. Gerry's own account of the interview, and of one which followed, shall be given. It is taken from a letter written some months after to Talleyrand,[a] when, his patience fairly worn out, he began at last to show a spirit of feeble resistance.

"From the arrival of the Envoys at Paris, to the departure of two of them, the objects of their mission were defeated by insuperable bars, arising from demands of loans; which, violating the neutrality of the United States, would have involved them in immediate war; and of procuring reparations for the observations hinted at. Towards the end of that period, AFTER IMPOSING ON ME SECRECY, you stated the embarrassments and dissatisfaction of the Executive Directory, on account of the opinions and conversations of my colleagues, its determination not to treat with them, and its desire to treat with me; and you added that my departure would produce an immediate rupture. Astonished as I was at this communication, I informed you that I had no powers to treat separately; the measure was impossible; and that had my powers been adequate, a treaty made under such circumstances, could never be ratified by my government. You differed from me. We reasoned on the subject, and each adhered to his opinion. I urged in vain the unreasonableness of admitting prejudices against my colleagues, without informing them of the consequences thereof; the good effect in removing them, which might result from such information, and the necessity of making known to them all that had now passed between us. YOU HELD ME TO THE PROMISE OF SECRESY, adding that if I would negotiate, we could soon finish a treaty; for the Executive Directory were not in the habit of spending much time about such matters. You desired another interview, in which, after a discussion of the subject, I confirmed and adhered to my determination. In this state, affairs remained for some time, and I flattered myself with the hope that, failing in the proposition for negotiating with me separately, your next would be to accredit the three Envoys; in such event, the secrecy mentioned would have been proper. This expectation was strengthened by the two subsequent interviews which they had with you; and you may judge of my surprise on the receipt of your letter of the 18th March, containing a refusal to treat with two of the Envoys, and renewing the proposition to treat with me. Finding that I was the person alluded to, and that all hopes of our being jointly accredited were at an end, I again re-

[a] July 20th, see President's Message and documents of Jan. 18, 1799.

fused, in the most positive terms, to negotiate separately; another proposition was then made that to prevent a rupture, I should remain here till information could be sent to my government of the events."

So far Mr. Gerry in July succeeding this affair. An extract from Gen. Marshall's private journal, will show what mention of it was vouchsafed him at the time.

"February 4.—Mr. Gerry returned from his visit to Talleyrand, and informed me that communications and propositions had been made to him by that gentleman which he was not at liberty to impart to Gen. Pinckney or myself; and that he had also propounded some questions to the minister which had produced some change in the proposition from its original aspect; that he was to give an answer to-morrow or the day after, and that upon it depended peace or war.[a]

It will be observed that Mr. Gerry, in the letter to Talleyrand, makes no mention of the questions "propounded" by him, which produced the change in the proposition, nor in fact of any change therein made. These are still unexplained. One thing, however, is clear; that Mr. Gerry, a co-ambassador from the United States, had permitted himself to promise concealment from his colleagues of an overture made him in that capacity by the official organ of a hostile government, and that the subject was a proposed intrigue to get rid of these colleagues as persons who did not suit the purposes of those to whom they were sent. The sequel of this will be seen presently.

In his final letter to the Secretary of State, Mr. Gerry thus alludes to another proposition: "The Minister afterwards desired me, by his Secretary, to communicate to the other Envoys his proposition for a loan subsequent to the war, which he soon relinquished. On this subject our first instructions were silent; the last were explicit, and necessary to determine my judgment."[b] This notice is, as will be seen, very guardedly worded, so far as respects his opinion on the loan. A letter of General Pinck-

[a] Cited in Pickering's Review, Section IV.

[b] Those contained in Pickering's letter of 23d March, 1798.

ney, to his brother, Mr Thomas Pinckney, of March 13th, however, gives a more distinct idea of it.

According to this, on the 25th February, Gerry told his colleagues that he had received a proposition from Talleyrand's secretary, suggesting a means of conciliation which he considered in a different light from any that had been made before; "It was to stipulate a loan to the French government now, but not payable until after the war, in supplies of our own produce for St. Domingo and their islands." "Mr. Gerry," he says, "to support this proposition, entered into a long detail of the ill consequence of a war with France, the advantages which would accrue from our securing payment to our fellow citizens for the supplies made by them, and the property taken from them by the French government, which he thought might be obtained if a treaty was made on the basis of such a loan, and which might be so guarded, in his opinion, as not to violate our neutrality."[a] Marshall and Pinckney, both opposed this on every consideration.

Meantime, no answer having been received to the note to Talleyrand of January 17th, the draft mentioned in their letter of March 9th, to the Secretary of State, intended as a remonstrance against the decree of January 18th, had been prepared by General Marshall. This draft was on the 6th of February put into the hands of Mr. Gerry for correction, and on the 7th, in jointly writing to the Secretary of State, they referred to the paper, and their intention to apply explicitly for their passports. The draft was retained by Mr. Gerry until the 14th, when he returned it with amendments. On the 18th, it being fully prepared, Mr. Gerry *refused to sign it at all.*

The time when the proposition which Gerry communicated to his colleagues on the 25th, was first made to him, cannot be stated with certainty. It is presumed

[a] MSS.

that it was some days previous, if not at the time of the proposal for a separate negotiation, and that his refusal to sign the remonstrance after it had been amended by himself, was caused by that overture. This connection between the events is indeed distinctly averred by Gen. Pinckney in a letter to Mr. King, of the 14th March.[a] Independently of such corroboration, the supposition, as furnishing the only plausible explanation of his conduct, is justifiable. It has been shown that he received the proposition with favor, and was disposed to proceed on its basis.

A short time after this, on the 2d of March, the envoys had the meeting with Talleyrand, previously mentioned, at which, and a second one on the 6th, this proposition of a secret loan, payable after the war, was brought up. Finding, from their conduct, that there was nothing to be gained from Pinckney or Marshall, or from Gerry, while they were present, Talleyrand took measures to rid himself of them. In the steps taken to accomplish this object, his characteristic chicanery displayed itself. It was a necessary measure, as they had manifested a firmness which could not be subdued; a discernment which promised no advantage. Unembarrassed by their presence, it was hoped, if negotiation was intended at all, to conduct it on terms which suited France. The letter of 18th March, was accordingly sent them, in which the Directory offered to treat with the "impartial" one. Talleyrand had expected that they would point him out, and by a voluntary withdrawal, in some degree sanction Gerry's stay and procedure. This they were not inclined to do. The cautious answer of Marshall announced that no *one* was authorized to negotiate alone, and no *two* disposed to withdraw from their task while there was any prospect of performing it. These envoys, it is known, would long

[a] MSS.

before have demanded their passports, but from the fear that Gerry would remain, and by so doing, divide the country.[a] They had now no intention of adding a color of acquiescence in what they expected would be his conduct. Talleyrand's wishes in this respect being foiled, studied indignities were, by his instigation, heaped upon the two refractory characters, to compel their departure; and these also failing, they were finally ordered to quit the territories of France. Neither passports nor safe conduct was sent them, but General Marshall was directed to apply through his consul for his papers, and even threatened with the supervision of the police. These attempts were properly resisted, and the passports were at length sent in due form; but while Pinckney, whose daughter was dangerously ill, could hardly obtain permission to remain with her, the departure of Marshall was embarrassed as much as possible.[b] Mr. Gerry, to whom no passport was sent, although he had repeatedly told his colleagues that he would not stay, remained, and without explaining to them the reason. From this fact, and from the circumstance that General Marshall, through whom he wrote to Mr. Adams, knew nothing of the contents of the letter, Mr. Jefferson shrewdly drew the conclusion, "that there must have been a previous understanding between Talleyrand and Gerry."[c]

The reason that Mr. Gerry gave, afterwards, was that Talleyrand had threatened him with immediate war, if he did not remain. That France ever intended war on such a pretext, or indeed at all, was never fully believed by those who had the best opportunity of judging, including his colleagues. The event gave certainty to their opinions on this point, as well as that Talleyrand did not, at the time, desire a treaty on any terms. He had not, indeed,

[a] MSS. letter of Gen. Pinckney to Thomas Pinckney, March 13, 1798.

[b] Gen. Marshall left Paris on the 12th April, and France on the 16th.

[c] Jefferson's Writings, III. 390.

given up his expectations of obtaining Gerry's consent to a loan, as the price of one, if granted; but the real object of detaining him was to prolong a state of things so advantageous to France; to avert, in fact, the war which was threatened as the consequence of his departure. It was singular that Mr. Gerry, in his private letter to Mr. Adams, did not, however, allude to the threats under which he had been induced to remain, and merely requested permission to return.

The estimation in which Gerry was held by his colleagues, may be judged from the following extract of a letter from

CHARLES COTESWORTH PINCKNEY TO THOMAS PINCKNEY.

PARIS, April 4, 1798.

* * * * "Mr. Gerry has agreed with M. Talleyrand to remain here. Of course General Marshall and myself will be ordered to depart. I have remonstrated with Mr. Gerry on the ill consequences which will result from his remaining, and on the impropriety of his having carried on a negotiation with Talleyrand, under injunctions not to reveal it to his colleagues. I have made great sacrifices of my feelings to preserve union, but in vain. I never met with a man so destitute of candor, and full of deceit as Mr. Gerry. The head and heart of General Marshall are both excellent."

These despatches have been reviewed together, in order that the continuity of the subject might not be broken. To return.

Upon the receipt of the first of them, the question of instructions to the envoys was, of course, considered. The following memorandum of the result of the consultation has been preserved:

TO THE ENVOYS.

"1st. If the envoys have not been received, or are not in treaty with persons duly authorised by the Directory with full and equal powers, to demand passports and return.

"2d. If the envoys are in treaty with persons duly authorized by the Directory, to remain; but to expedite the completion of the mission, and inform the

President of what they are doing. If a clear design to postpone and equivocate is discovered, to break up the negotiation and return.

"3d. The envoys to consider *suspense* as ruinous to the essential interests of their country.

"4th. Despatches.

"5th. No money, no loan."

In accordance with these points, Col. Pickering on the 23d March, wrote to the envoys that the tenor of their communications then received, was such as to satisfy the government of the correctness of their opinion that the objects of their mission would in no way be accomplished, and that the President trusted that soon after the date of that of January 8th, they had closed their negotiations by demanding passports to leave the French territories. The different contingencies above mentioned, were provided for, and they were expressly instructed that in no event was a treaty to be purchased with money, either by loan or otherwise. This letter did not reach Paris until May; of course some time after the departure of Messrs. Pinckney and Marshall.

The fears expressed for the result of these communications, fortunately proved groundless. At length, the dormant spirit of the nation was roused. The publication of the despatches, wisely circulated throughout the country by a resolution of the two Houses, excited a feeling which showed that honor, dignity, and independence were not yet extinct in the people. Addresses poured in, expressing their approbation of the conduct of government towards France, and pledging their support in the public defence. The current of popular feeling which had been so long ebbing or stationary, had now turned, and nothing was wanting but firmness, consistency, and temper in the Executive, to render it irresistible.

Congress could not fail of being influenced by these evidences of the national feeling. For once, measures worthy of the representatives of a free people were adop-

ted, and though embarrassments were interposed by the stauncher portion of the Galliean party, and the measures themselves were often clogged with unwise restrictions, they proved in the end, sufficient to attain their object. They roused and united the people; they confirmed in them the sentiments which in the first place had acted upon their representatives, and they taught France her mistake, in supposing that the influence of her Jacobin allies, could make the nation subservient to her will, when awakened to her designs.

Active measures were taken to put the country in a state of defence; among them, the most important of all, was perhaps, the creation of the NAVY DEPARTMENT. Originally, all matters relative to the maritime force of the United States, were confided to the Secretary of War, by the act constituting his office, but subsequent acts, those providing for the appointment of the Accountant of the War Department and the Purveyor of Public Supplies, had devolved upon the Treasury much of the duty both as respected the army and the navy. The lines of distinction between the provinces of the several departments in this respect, were by no means distinctly drawn, but in general, the contracts and purchases for supplying the army and obtaining materials for the navy, the building and providing of the ships, fell upon the latter, while the application of the supplies, the payment of officers and men, and the direction of the vessels when completed, were vested in the War Office. A very unnecessary complication of their affairs had thus resulted, and an onerous burden was thrown upon the office to which it by no means appertained, and of which the responsibilities were already sufficiently great.

Now that, however, an increase of the naval force was rendered necessary by the contemplated defensive measures, the erection of a new department became absolutely requisite. Its establishment was dictated moreover, by a

sound policy in the friends of the administration, in seizing the opportunity to render permanent a branch of the national service, which the hostility of the southern non-commercial States had hitherto crippled.

The Secretaryship of the new department, was first offered to George Cabot of Massachusetts; one whose ability, patriotism, and integrity, well qualified him for any post in the nation. He however declined the office, and BENJAMIN STODDERT of Maryland, was appointed.

The attention of Congress was during the session called to the inconveniences which have been mentioned, and a subsequent act was passed in pursuance of a report of the committee to which the subject had been referred. By this, the expenditures of the Executive departments were properly regulated. Very important additions were made to the navy, under several laws authorising the purchase and equipment of vessels, and a respectable force was thus created. Other preparations were made. A regiment of artillerists and engineers was added to the regular army; appropriations passed for the defence of the posts and harbors of the United States, and those States which, on a final settlement of their accounts, had been found indebted to the Union, were authorised to expend sums not exceeding the amount of their indebtedness, on fortifications; authority was given for the purchase of cannon, arms, and amunition, and the act passed authorising the raising of a PROVISIONAL ARMY.[a] This celebrated act empowered the President, in case of a declaration of war against the United States, or actual invasion, or imminent danger of invasion before the next session of Congress, to enlist, for a term not exceeding three years, and to call into service a body of 10,000 men. These were to be organized with a suitable number of major generals, into corps of artillery, cavalry and infantry, as the

[a] Act of May 28, 1798. Ch. 64. Laws of the U. S., III. p. 50.

service should require. In addition to this number, he was authorised to accept of such companies of volunteers as should offer themselves fully armed and equipped, to be subject, when called into actual service, to the same rules, and entitled to the same pay as the other troops. The President was further authorised, whenever he should deem expedient, to appoint, with the consent of the Senate, a commander of the army thus raised, who, when commissioned as Lieutenant General, was to have the chief command of all the forces of the United States. An Inspector General and other officers, were to be appointed in like manner. They were to continue in commission so long only, as the President should deem necessary, and with the troops, might at any time be discharged, if consistent with the public safety, and they were to receive pay only while in actual service.

Such was the provisional army, the bugbear of the democracy of '98; the instrument by which a revolution was to have been accomplished in our government; the friends of liberty to have been crushed, and a throne erected—for whom?

FROM GEORGE CABOT.

BROOKLINE, March 26th, 1798.

My Dear Sir,

Nothing could be more gratifying to Mrs. Cabot and me, than the expressions of friendship from Mrs. Wolcott and you, contained in your letter of the 17th. Be assured we receive them as testimonials of an esteem and affection which our hearts constantly covet, and which they liberally return.

I have written to you less frequently than might have been expected, because I have felt no disposition to bear anything like an agency in political affairs, and because I have thought it little less than criminal to occupy any part of the time of our public *slaves*. Indeed, such is my sympathy with many of our public men, that it has become extremely painful to think of their tasks.

I live perfectly recluse, scarcely going beyond the limits of my farm once in a month; I do not pretend, however, to be uninterested in what passes in the world; on the contrary, I partake in all the anxieties of those who foresee and tremble at the destiny of our country; but while I am so selfish as to applaud myself for shunning all responsibility which might belong to official character, I have omitted no opportunity to inculcate just sentiments upon those who hear

me prate, or read what I write; for I have often been tempted to write, by the belief that public opinion depended much on the newspapers, and that I could say much that would be useful. It ought to be some compensation to our Executive officers to know, that their administration is universally approved, and generally admired by the wise and the good. These, as far as I can learn their sentiments, have thought that the Adams administration has done everything in its power to rescue the country from dishonour and the servitude with which it is threatened; but I confess to you, there prevails every where in this quarter, a despondency that is alarming. The truth is, that the spirit of the country has been sinking from the time that the House of Representatives in June last, discoved their disposition to submit to the aggressions of France, rather than to prepare to repel them. At that moment, if the legislature had been as faithful to their trust as the Executive, I have not the smallest doubt the indignation of all the States (on this side of the Delaware at least), would have been sufficiently roused, and that France would have seen that there was a point at which her provocations must stop, *or she would lose this country*. But the people have been taught by the example, and still more explicitly by the language of their representatives, that it is expedient to submit to a foreign domination, rather than hazard its resentment by declaring we will maintain our rights. We are now so accustomed to this humiliation that it ceases to disquiet us, and for every new disgrace that is thrown upon us, we seek for excuses to bear it without impatience. We are ashamed to acknowledge the influence of our fears, and yet, we show that they repress every sentiment of honour. Perhaps no misfortune greater than this could happen to our country, as regarding its independence. The independence of the smallest States has often been secured against the rapacious ambition of the greatest, by a desperate resolution to defend themselves in every extremity; and although it is evident that France meditates the subjugation or destruction of every civilized nation, yet, as she acts always in each case, upon the calculations of the advantage of success, and the disadvantage of failure, I am fully satisfied she would never attempt to subdue the United States by force, if she were to see us unitedly determined to resist her with vigor. At present, we certainly invite, rather than discourage her attacks, and I am not sure that the Executive can excite in either the legislature or the people, a just indignation or a proper sense of the public danger; but this I know, it is the duty of the Executive to attempt it, and of every good citizen to co-operate. I hope therefore, the President will persist in the manly course he has hitherto trod, and that he will tell plainly and forcibly to Congress and the people their dangers and their duties as they appear to him, and say to them they must not slight the former as an excuse for neglecting the latter. If this won't do all that is wished, it will do the best that can be done; and if we are to be lost finally, it will be a consolatory reflection to the Executive and its friends, that they have done their duty. It would be a greater undertaking for France to conquer us, if we were united, than to conquer Germany and all the south-western parts of Europe. Sooner than attempt it, if we were united, she would certainly be placable on terms that would leave us the government of our own country. But if we remain divided and imbecile, as seems probable, we must undoubtedly be a colony

to France, if England will consent or is obliged to leave the sea. I have long seen that the fate of the civilized world is probably to be decided by the issue of the present contest between France and England; and I confess, I see no reason to doubt that England will triumph at last, if the nation continues tolerably united. Mr. King is gloomy, but he has constantly been so; and I cannot but think he stands at a point from whence the power of England is never seen with advantage. England is a free country, and the force of faction which proves it free, gives it the appearance of division and weakness. The despotism of France admits but one language, but England is undoubtedly able to continue the war for twenty, or even for an hundred years, if the disease of Jacobinism does not enfeeble her. She may monopolize the *commerce*, not the navigation, of the two Indies, the United States and a part of Europe. She may supply all these, and even France, with manufactures; and the consumers will pay the increased cost. If England will persevere, she will save Europe, and save us; but if she yields, all may be lost. I am sure she can, and I think she will persevere, because it becomes more and more manifest that she is contending for existence with a foe that can never be appeased or trusted. If it were possible to work up the French to such a frenzy as to attempt an invasion of England, I think all the friends of virtue and order in the world, ought to be willing to trust the event; because there can be no case supposed in which a trial by force would be so much to the disadvantage of France. I have often wished the attempt might be made with a half million of men, determined to conquer or perish, as I fully believe they would perish, and with them the physical force and the destructive fame of Jacobinism. But France, always ready to do the wickedest things that can be proposed, rarely is guilty of weak ones. She will never attempt to invade England, without first seeing the British fleets vanquished. Your sincere and affectionate friend,

G. CABOT.

27th. P. S. My son has just brought in the President's message, which I fully approve, and hope he will tell the whole story at the first suitable moment.

TO ALEXANDER HAMILTON.

PHILA., April 5th, 1798.

* * * *

The papers relative to the negotiation which has been attempted with France, have been laid before Congress. Many in both Houses, I believe, find that the gratification of their curiosity has made them responsible for the management of a pretty difficult subject. The disclosure was, I suppose necessary, though I regret the necessity. The dose will kill or cure, and I wish I was not uncertain which; not that I doubt the expediency of what the government has done or attempted, but because I believe faction and Jacobinism to be the natural and immortal enemies of our system. It is some satisfaction, however, to know that the instructions and the conduct of the President generally in this affair, have extorted the reluctant approbation of our most inveterate opposers. A few days

will determine whether our legislature can act with that decision and energy which the crisis demands. Nothing further by way of impression can be done, except recourse is had to the desperate and doubtful remedy of a popular appeal.

The revenue does not decline so much as I expected; but the management of the treasury becomes more and more difficult. The legislature will not pass laws in gross. Their appropriations are minute; Gallatin, to whom they yield, is evidently intending to break down this department, by charging it with an impracticable detail.

TO FREDERICK WOLCOTT.

PHILA., April 10th, 1798.

I enclose you a copy of the despatches from our ministers to France; they exhibit the true character of the detestable tyrants of that country. Nothing further will be attempted by the government to produce an accommodation. If one dollar by way of tribute, or as a bribe, would answer the purpose, it could not be given. No man who is not a fool but will see that the principle upon which peace has been purchased with the Barbary powers, and with the Indians, is entirely different from that asserted by France. I do not see that the country can avoid another struggle for its independence. I hope we shall play our parts manfully. It will be base, cowardly, and ignominious, to surrender without an exertion. Some weak men consider the merchants as the class who are most affected by the French piracies; no mistake can be greater, or more easily open to detection. An unexpected attack upon commerce always ruins many merchants, but when the risk is ascertained, the merchants suffer less than any other men in a country. The most interior parts of our country are most interested in the question of free commerce. A farm which will produce a rent to its owner when wheat is at nine shillings, may be worth nothing when it is only five, as the transportation may consume the value of the commodity.

FROM JOHN DAVIS.

BOSTON, April 22, 1798.

Dear Sir,

I received your favour of the 9th instant, with a copy of the despatches enclosed, and have since received a copy of the President's instructions to our envoys. I am much obliged to you for these communications, after using them to the best purpose in my power for the present moment, I shall carefully preserve them as part of a code of instructions to my children, to educate them (as brother Otis expresses it) "in a mortal detestation of foreign influence."

Intelligent and reflecting men have long since been persuaded of the dangerous designs and unprincipled policy of republican France. The late communications have convinced the deluded, softened the obstinate, and have at least *silenced* the abandoned and corrupt. The people feel and will impress the magnanimous resolution which you justly observe to be necessary. An address to

the President, containing sentiments suited to the occasion, is now in circulation here, to which I believe, almost all the citizens in the town will cheerfully put their names. Any energetic measure which the government may adopt, and which the present urgency requires, will, I am persuaded, not only receive the acquiescence, but the approbation of the people in this part of the Union. If the public sentiment could happily be accompanied and supported by an unison in Congress in these interesting questions, which are prompted by the present position of affairs, we might hope that the views and expectations of France as respects this country, would be completely baffled and defeated.

I inclose you a semi-political sermon of Dr. Tappan's, which was much admired by the hearers. Dr. Tappan, with great learning and ability, is one of the meekest men in the world. He regrets, however, that at the time of composing this sermon, he did not know the extent of French iniquity. Since he delivered the discourse, the despatches have been published; and the Doctor has thrown into a note some portion of that holy indignation which we all feel. With much esteem, I am, ever yours, JNO. DAVIS.

FROM FISHER AMES.

DEDHAM, 22d April, 1798.

Dear Sir,

I am flattered, and I pray you to believe that I am thankful, for your repeated favours. I have not written till I am, I find, very much in your debt, for a reason which I also desire you to be persuaded is the only one; that I have not thought it right to force upon a busy man the correspondence of a recluse one. My sick chamber has enfeebled and impoverished the ideas, that my situation in the country might otherwise have obtained. Do not, I pray you, think I flatter or that I am too civil, when I assure you my clearest knowledge of public affairs is derived from your letters.

I am far, very far from sanguine as to our going on well; I often say, but I never say it as I feel, that the discrimination between our government and every other is this; other governments find opposition after they have resolved, ours before. Anarchy has a vote, or rather its veto on the volition, the first movement of the intellect, and of the affections of our system. For when a right measure is decided on by the government, the people will obey; all difficulties are over before those of other countries can exist. This I submit to your thoughtful mind. The venom of the old serpent, the evil one of anti-federalism, is shed upon the *prima via*, the very first concoction of our ailment. Part of our diet is poison, and the whole system is feverish and acrimonious. The English Hercules is in his full strength, and contends with a serpent; our government is in its cradle, and tastes aqua fortis, or corrosive sublimate, in the milk that it sucks. Is any civil polity in the world like ours? Would it not be a great point to postpone the action of the resisting powers till the measures of the government are laws? For we seem to exhibit the practice, as we hear in the Congress debates—the theory, of anarchy.

That I may not seem to give a too speculative cast to these observations, I

will add, that the time requires the government to do what I know it cannot and will not, that is, give a strong impulse to the public mind; that it should lead, and the people would cheerfully follow. Instead of that I see, and I dread your difficulties. Cowardice will cry peace; it has been the popular cry. The elections are approaching, and he must take some responsibility on himself who says, wage an active defensive war; but the time requires that it should be said, and that the merchants should give a tone to the government, not in general terms, but explicitly; that the people should be told they must put their hands into their pockets. They are more willing to do and suffer anything than their leaders, because an influence with them is a property too precious, for even federal men to expose to loss. The people are open to right impressions, but they are not yet enough roused to give them to government. Government is paralized by faction, the nation by avarice; like two dead bodies they must lie and putrify side by side, till the French tiger comes to devour them, or the hydra of anarchy digs them out of the grave. Gloomy as these ideas are, I do really confide in the better disposition of our citizens. The chance of our future state is improved; government may fall, but the phenix from its ashes will be better. Still I deprecate any change, and I agree that all our good men should join their best efforts to keep this system from sinking. I do not even despair of success. But the crisis is to be decisive—I see it clearly. Experience will teach truths that sophistry will not deny; that folly will not overlook. Among our wants is that of a good newspaper; Ben. Russell's is one of the best, but he prefers a joke to an argument, and is often injudicious and always lazy. Hopkinson is clever as a writer, but extensive information and solid reasoning, are as requisite as brilliant declamation. N. Webster and Jo. Dennie, at Walpole, should be kept supplied, and kept correct too; any hints you may think it material to transmit to me shall be wrought up. I am in very poor health, but recruiting. I shall ride about, and mind business but little. Scribbling is not more of a labour than backgammon. Does Gerry by his quiddities keep the envoys at Paris? I wish they were at home. Yours, truly,

FISHER AMES.

P. S.—I saw G. Cabot two days ago; he talks of you with affection and respect, and is disposed to use his exertions in Boston to promote a right conduct; he is not sure that the well disposed will say in an address, all that they ought. The *truth*, many—most will say; the *whole truth*, nobody dare. No man is good, who is not now firm. Passive virtues are little better than treachery. Zeal is now better than logic.

FROM GEORGE CABOT.

BROOKLINE, April 25, 1798.

My Dear Sir,

I have received your several favours to the 14th inclusive, with their enclosures, and I rejoice to find that by the last you were not destitute of hope that the spirit of the country might rise in opposition to tyrannical France. I took the

first moment of going to town, to ascertain the fact whether the apathy which has so long disgraced, and so much endangered us, still continued. I found Mr. Higginson with an address in his hand of a good complexion, and before I left town, which was in a few hours, adequate measures were taken to obtain the most extensive subscriptions, and to invite the co-operation and concurrence of the whole people of the state.

My expectations are strong that the business will prosper, and that the body of the people will be brought to a good temperament, so that the measures of government will be zealously supported by a majority, and duly acquiesced in by all. I doubt, however, whether the mercury in the popular body will rise sufficiently to press upon the legislature; I hope, therefore, that Congress will proceed rapidly to establish everything requisite for our national defence. If more taxes are wanted, let them be laid without fear; but let great care be taken to show that they are unavoidable, and that we are called to part with a little, as the only possible means of saving the remainder, and with it our liberty and independence. If this could be done in an address from the legislature, I would answer for its complete success; but if this is unattainable it must come from some other source. We keep our presses going with Harper's excellent speech and pamphlet, and if no address from government or any branch is practicable, Harper must devote himself to the work of proving to the people the absolute propriety of what is done. He has the requisite talents and motives, and *must work*. Indeed, if he knew the extent of his fame already acquired, his ambition would stimulate him to the most laborious undertakings. But any majority that can pass a law, must be able to pass an address to explain its expediency and to prevent the mischievous effects of misrepresentation. I lay great stress on this idea, from a conviction of its utility if wisely and ably pursued. As the President may be called frequently to answer addresses, I take it for granted he will profit by every such occasion to convey to the people those truths which they ought to know, and those sentiments they ought to feel. Perhaps you have seen that the little town in which I live has petitioned against arming. Our whole number of votes is about 65, and upwards of 50 attended the meeting. Although I am extremely averse to moving in politics, yet my conscience would not permit me to see the government abandoned. I therefore entered into the debates, which continued several hours, and finally the vote for petitioning obtained 35 to 23. I have the satisfaction, however, to believe, that some salutary truths were inculcated, and that many of the petitioners are substantial friends of the government. I think it must be satisfactory to the Executive, to know that with all the aberrations of the public mind, it has constantly approved the administration of that branch of government, even while the absurd hope was cherished that France would be conciliated. A few violent Jacobins have alone rejected this opinion; but the despatches have silenced them, and convinced many of their followers that they are wrong.

I am fearful our envoys will remain in France until the despatches are known there. In that case they must give up their lives, or contradict their own communications, or, according to the order of the day, pay a deal of money. Should they suffer in any way, they will enjoy the sympathy of every good man in the

world, and their sufferings will secure their country by dispelling a part of the remaining delusions. Heaven bless you and yours. Your affectionate and faithful friend,

G. CABOT.

FROM JOSEPH HOPKINSON.

New York, May 17, 1798.

Dear Sir,

As I shall not take my departure from this place for an hour or two, I cannot employ a part of this time more to my own gratification than by devoting it to you. I write to you from a box in the Tontine, and the clatter of two or three hundred merchants and the bawling of a vendue crier ringing in my ears. It is a mortifying fact, my dear sir, that the federal spirit of this city is not worth a farthing. It is entirely unlike that which animates us in Philadelphia, and although as a Philadelphian I am proud of our pre-eminence, as an American I am mortified and distressed to find the difference. The people here are driving at their private occupations, and seem plunged in the mire of commercial avarice. They attend to nothing else; they seem to consider themselves as having no kind of connection with the affairs of the nation, and no interest in it. If I were an absolute despot here, I would order the whole city to undergo the Turkish ceremony of the bastinado. I would rouse the lazy drones with a whip, or allure them into action by instituting public games and military exercises for brass farthings, since money is their god. If I except a delightful and lengthy conversation I had with Col. Hamilton, I can assure you I have heard nothing like politics since I came here. This is a kind of intolerable political starvation to me. The tri-coloured cockade is by no means an unfrequent sight here, but I have not yet seen one of our own sort. I have sent Mr. Fenno some remarks on the state of national spirit here, which I suppose you will see in his paper. When I came to peruse the letters of introduction you were kind enough to favour me with, I found myself a good deal puzzled to decide what to do with them. On the one hand, I am unwilling to forego the pleasures and many advantages I should derive from your friends to whom you have written; and on the other hand, as I never expect to get such flattering and honourable testimonies again to my character, I don't quite like to part with them. A man once brought an action for slander. When he saw the declaration of his lawyer, in which he was stated to be a good, honest, and faithful citizen, free from all manner of crimes, stain, or reproach, &c., &c., he put the declaration in his pocket as a valuable certificate of his good character and gave up his action. So keeping this story in view, I will not suffer my vanity to mistake your friendly politeness for my merit. Remember me very affectionately to your good wife, to my democratic friend, Mrs. Goodrich, and her husband. Yours,

JOSEPH HOPKINSON.

FROM ALEXANDER HAMILTON.

[New York], June 5, [1798.]

Dear Sir,

The answer from the President to the Commander-in-chief, &c., of New Jersey, contains in the close a very indifferent passage. The sentiment is intemperate and revolutionary. It is not for us, particularly for the government, to breathe an irregular or violent spirit. Hitherto I have much liked the President's answers, as in the main within proper bounds and calculated to animate and raise the public mind. But there are limits which must not be passed, and from my knowledge of the ardour of the President's mind, and this specimen of the effects of that ardour, I begin to be apprehensive that he may run into indiscretion. This will do harm to the government, to the cause, and to himself. Some hint must be given, for we must make no mistakes.

Enclosed is a sketch of some ideas which have run through my mind. They are, perhaps, none of them new, but they are offered as the evidence of my opinion on the point. As yet we are far short of the point of vigour. Yours, truly,

A. HAMILTON.

FURTHER MEASURES ADVISABLE TO BE TAKEN WITHOUT DELAY.

I. To authorize the President to proceed forthwith to raise the 10,000 men already ordered.

II. To establish an academy for military and naval instruction. This is a very important measure and ought to be permanent.

III. To provide for the immediate raising of a corps of non-commissioned officers, viz: serjeants and corporals, sufficient with the present establishment for an army of 50,000 men. The having these men prepared and disciplined will accelerate extremely the disciplining of an additional force.

IV. To provide before Congress rise, that in case it shall appear that an invasion of this country by a large army is actually on foot, there shall be a draft from the militia to be classed, of a number sufficient to complete the army of 30,000 men. Provision for volunteers in lieu of drafts. A bounty to be given.

V. To authorize the President to provide a further naval force of 6 ships of the line and 12 frigates, with 20 small vessels not exceeding 16 guns. It is possible the ships of the line and frigates may be purchased of Great Britain to be paid for in stock. We ought to be ready to cut up all the small privateers and gunboats in the West Indies, so as at the same time to distress the French islands as much as possible and protect our own trade.

VI. Is not the independence of the French colonies, under the guarantee of the United States, to be aimed at! If it is, there cannot be too much promptness in opening negotiations for the purpose. Victor Hugues is probably an excellent subject. This idea, however, deserves mature consideration.

VII. It is essential the Executive should have half a million of secret service

money. If the measure cannot be carried without it, the expenditure may be with the approbation of three members of each house of Congress. But it were better without this incumbrance.

VIII. Revenue in addition to the $2,000,000 of land tax, say—

A stamp duty on hats, as well manufactured at home, as imported, distributed into three classes—10, 15, 25 cents, -	$500,000
Saddle horses one dollar each, excluding those engaged in agriculture, - - - - - - - - - - - - -	100,000
Salt, so as to raise the present duty to 25 cents per bushel.	
Male servants of these capacities, by whatever name, maitre d'hotel, house steward, valet de chambre, butler, under butler, confectioner, cook, house porter, waiter, footman, coachman, groom, postillions, stable boy :—[a]	
For one such servant, - - $1.	
" two " servants, and not more, $2 each.	
" three " " " $3 each.	
Above three, - - - - $4 each. - - -	500,000
(One dollar additional by bachelors),	
New modification, with greater diversity of licenses, for sale of wines, - - - - - - - - - - - -	100,000
One per cent. on all successions by descent or devise, - -	100,000

IX. A loan of $10,000,000. The interest to be such as will insure the loan at par. It is better to give high interest redeemable at pleasure, than low interest with accumulation of capital, as in England.

FROM FISHER AMES.

DEDHAM, June 8, 1798.

Dear Sir,

There seems to be a power in Congress to do the needful, but it meets with too much resistance, and its movement is too slow. I am impatient to see the French treaty nationally annulled. Reconciliation with France is still sighed for, and if the evil one had counselled them to offer everything, and to ask of us everything but money, we should have seen a worse state of things than the useful profligacy of the French has produced for us. Although I rely on their arrogance and rapacity to prevent their coaxing, yet I should be disposed to guard against the insidious policy which their late discovery of the spirit of the country may put them upon resorting to. Peace is a word, a vain word, that would still deceive and divide; and the spirit of Congress is so much lower than that of the nation, and the latter is so ready to sink into apathy, that I consider the middle state we are in as peculiarly awkward and without object. Why not annul the treaty? Why not authorise captures of privateers, commissioned to cruise against us, in any seas? Why not proceed at once to reprisals and letters of marque for the sufferers by their depredations? You will answer, "Congress will not do it!"

[a] "In lieu of tax on slaves, which is liable to much objection."

and the answer stops my mouth; but that affords us reason for using temporizing language in Congress. Our friends should not make quite so much merit as they do of their desire for peace. The provisional army might have been raised, I should think, or part of it, immediately, and the more efficient [the] force the less the danger of commotion among the ultra montanes, who never yet respected the government or obeyed it. In brief, my fears, or my belief is, that the strong impulse on the public is temporary, and if left to itself, its reflux will be embarrassing. I admit, more has been done than I expected, and I am willing to hope that enough is done to give the proper direction to measures and opinions, and that the consequences will follow almost spontaneously as we desire. Yet I know the substratum of the sentiments of all our citizens is peace; and as I dread the art of France, even after detection, I wish to have our political thraldom legislatively terminated. Nor do I see why attempts should not be made to go every proper length in Congress, as no time seems to promise such success to rendering the Jacobin members obnoxious before another election. However necessary any further members may be, I will not pretend to judge so well as you who are on the spot, and at the fountain head of information. But my wishes to improve the moments, which seem to be so unexpectedly propitious to government, may have misled me as to their necessity. I wrote three days ago to Col. Pickering in a like strain, and possibly he may wonder at my doing it. I had half resolved to address it, when I had done, to you.

Among other grounds of my concern, the stay of the envoys in Paris is strange, and fills people's heads with delusive expectations of a reconciliation, which ought not to be; for, though I do not wish Congress to *declare* war, I long to see them wage it. Then the country would be in a situation to sustain and to employ its present energies. Does Gerry, by his quiddities, detain his colleagues? Sincerely yours,

FISHER AMES.

FROM COL. JOHN TRUMBULL.

72 WALBECK ST., LONDON, June 8th, 1798.

Dear Sir,

I have to acknowledge the receipt of your favour of the 3d of April, which came to my hands some days ago. I regret that the letters I wrote you in November by the packet, (which was taken), and in December by the ship Fame, (which was lost on your coast), did not reach your hands. They would have a somewhat earlier notice of the approaching danger. I am happy to learn from your letter, as well as from later accounts, that public opinion with you is improving, and the mists of prejudice and partiality dissolving; but in recovering from one error let us not fall into another: let us not act upon the supposition that we have one foreign friend, or rely in anything upon others; no, not even so far as good policy and manifest interest ought to lead them. I have often been thought by my friends to be a prejudiced man, in this opinion; but I trust that every man who shall have had as long experience in Europe as I have had, will find that my opinion on this point is not unsound. I think I already see, in those who ought to know

and pursue their own interest more wisely, a temper, and the first steps of a conduct, ill calculated to preserve and conciliate our good opinion; and constructions are put upon parts of the existing treaty which, if within the words, are manifestly contrary to the spirit of that instrument; and now that we are committed beyond the possibility of retreat, in respect to France, it will be well if the beneficial part of the treaty, which has been the great cause of our misunderstanding with our old friends, be not frittered away into miserable scraps indeed. Be assured, my dear friend, there exists in this country no cordial esteem for ours; and be equally assured that there are those in whose bosoms still rankles the memory of former disappointments;—men still in power who detest the principles of our revolution, and lament its success—who look upon that event as the great cause of the present dissolution of the ancient systems of Europe; and who rejoice to see us in a quarrel with those whom they regard as the only supporters whom we had, looking perhaps to the happy day when the two sister vipers shall sting each other to death.

You will, perhaps, think this a very erroneous croaking; but believe me, I am sufficiently grounded in my opinion, and you will soon see the detail of some pitiful symptoms of the bitter and silly spirit which I know to exist. But to what does this tend? to teach us not to rely on the friendship of men, but on God, and our sword. Let us recollect that when we were three millions of people, disunited, ignorant of every military art, destitute of all necessary preparation, we resisted in the years '76 and '77, and without the aid of a friend, completely baffled 55,000 of the best troops of Europe, supported by an irresistible naval force. We are now six millions of people! the calculation is simple, and I hope we shall act as men who know their importance in the scale of human affairs. I am, my dear sir, your real friend,

JNO. TRUMBULL.

FROM GEORGE CABOT.

BROOKLINE, June 9th, 1798.

My Dear Sir,

When those who have a right to command our services condescend to solicit them, it is not to be imagined that a refusal, however proper, can be wholly forgiven. I know too much of human nature, to deceive myself with the belief that I can escape censure, under circumstances where others would incur it. I therefore have made up my account for the frowns of my friends, as evils that must be borne. Still, however, I calculate on a good residuum of esteem and regard with those I love best, and with this I must be content.

I have been impatient to express to you my satisfaction at the great success of the President, in awakening the country from the fatal stupor into which it had sunk; we have still some disaffected, seditious people, in this quarter; they are few, however, in number, and reside chiefly in the town and vicinity of Boston, and their influence is extremely diminished. All men, whose opinions I know, are unbounded in their applause of the manly, just, spirited, and instructive sentiments expressed by the President in his answers to the addresses. I

am persuaded the good effects of these open declarations, cannot be overrated. They have excited right feelings everywhere, and have silenced clamour; but Cæsar's maxim must be observed, and nothing be left undone by the government; the stronger and more decisive measures they take, the more readily they will be supported. I was glad to see the bill for prohibiting intercourse with the dominions of France, but I should have thought the prohibition should lie on all foreigners as well as citizens and residents; otherwise, I foresee attempts will be made by our own people to change their bottoms in the neutral islands, and then supply the French, and I think it is an object of importance to prevent the supply of Guadaloupe and Hispaniola. You have passed the Rubicon, and rapid marches are necessary to success; at least they inspirit your troops. Why should not a bill pass, authorizing the executive to send away the French consuls, &c., if you mean to take no measures but such as are purely defensive, and fair retaliations, yet this authority should be given. The refusal to receive our ministers, certainly would justify our refusal to permit consuls to act, although they admit our consuls; but if squeamishness doubts this, we ought to be prepared to send away their consuls, when any exigency in the opinion of the Executive shall require it. I don't see that the Executive is authorized to accept of voluntary naval aids which may be offered. I should have thought it wise to give commissions to such private vessels as the President should approve, and which might be obligated to convoy others. If privateers from the French Islands continue numerous, the merchants may be glad to associate occasionally in forming little armaments for the protection of their vessels in a single voyage. I think, however, these aids ought not to be resorted to until the government has done its own duty, and I hope before Congress rises, Gen. Smith will be disposed to increase the number of vessels to be equipped by the public for the protection of commerce. It ought to be remembered that this kind of force will be inestimably precious, if an attempt to invade us should be made. The men who will have been trained in the public sea service will be able to do more than any equal number of any other description, and they will be in readiness to act.

It is pretty certain that if Great Britain yields, we shall have the weight of the whole European world to oppress us. This seems to be understood, and men are momentarily declaring their belief that we can and shall sustain it all without sinking. Doubtless if we are united and determined to die rather than submit, we should succeed; but the foul contagion of French principles has infected us, and time is required to restore us to soundness. My hope is, that France will exert all her powers in an attempt upon England. If she fails, the world will be free. I have the highest confidence in the success of England, in such a contest; her chance would be much better than in a long, protracted war, of such immense expense, and which gives room for so many contingencies. But I cannot believe that the French will trust themselves on the sea; with all their victories on land, they are no match for the English on the sea, and I should expect the French to be defeated even with a superiority of naval force of 3 to 2; nor do I think if they could land in England that they would be able to conquer it. I therefore wish the cause of the civilized world to be tried there. I see no other chance so favourable. Although you are doubtless better informed than I

am, yet it may not be amiss to mention that my letters from London of the 9th April state to me confidentially, that Pinckney and Marshall are to be turned away, and Gerry kept, if possible. It seems the delay of the envoys has been produced by the extreme fastidiousness of one of the gentlemen. I don't believe however, he will be such a dupe as to remain after his colleagues shall depart. Perhaps the case will not occur, for it is highly probable that the despatches which have been published, will arrive in France before any of them can have embarked. A gentleman who left France the last of March, tells me that no idea was entertained that we should offer any resistance; the Gallo-Americans had no doubt we should *pay money*, and, he says, they will be all surprised at learning that we dare refuse the demands of France. Yours faithfully,

G. CABOT.

FROM WILLIAM SMITH.

LISBON, February 25, 1798.

My Dear Sir,

* * * *

I have been much amused in reading over some files of American papers by the last vessel. I see the old dispute revived with great violence for bleeding for fever and ague, and that Dr. Rush is charged with bleeding many hundreds to death. I was not very much surprized at this charge, but I confess I was surprized to see him appointed treasurer of the mint. I hope he won't bleed that to death also. That unfortunate institution has enemies enough already. Can he continue his practice and attend to the duties of his new office at once, or has he laid aside the lancet with disgust? I am very happy to hear you have got rid of Tench Coxe. I suppose he will follow the steps of Randolph, Monroe, &c., and write his vindications without ado. I always considered the Doctor a wrong-headed politician. I know for a fact that he was, at the election of President, very much in favour of the Vice President. I fear there will be no possibility at present of entering into any arrangement with this country of a commercial nature. Their very delicate situation with respect to England and France, absorbs the whole of the attention of their government. The ministers keep themselves on the reserve, and are scarcely ever seen. Though I have been at Mrs. Pinto's evening parties regularly through the winter, I have only seen Mr. P. once or twice, and then but for a moment, so that there is never to be found an opportunity to sound him on the subject; but I understand from other quarters, their jealousy is so great on this point, that no hopes ought to be entertained. Have you turned your thoughts to the late important acquisitions of Austria in the Mediterranean and Asiatic Seas, and to the probability of her becoming a considerable naval and commercial power, and consequently to the policy of a commercial connection with her; would not this be a proper moment to try the ground? I should like to know your ideas on this point. I hope you have got a good committee of ways and means, and that things are going on smoothly. In what state are the finances and banks? How does the stamp act work? There is a prospect of your wanting a good deal of revenue this year, for there is no doubt you must have some navy afloat. It is a matter of very general aston-

ishment here, (in the mouths of almost all the ministers of Europe), that the United States, with such naval and other resources, should so tamely suffer their commerce to be plundered, without any attempt at protection. I wrote to Mr. McHenry a few days ago. Remember me to him very kindly. With sincere regard, I am, dear sir, faithfully yours, &c.,

WILLIAM SMITH.

General Marshall reached the United States in June, and on the 21st, the President, in announcing the fact to Congress, communicated also a letter from Mr. Gerry, in which he requested permission to return. A copy of the instructions of March, in which provisional orders for the return of the envoys had been given, accompanied the message, which thus concluded:

"I presume that before this time he has received fresh instructions,[a] (a copy of which accompanies this message) to consent to no loans; and therefore the negotiation may be considered as closed. I WILL NEVER SEND ANOTHER MINISTER TO FRANCE WITHOUT ASSURANCES THAT HE WILL BE RECEIVED, RESPECTED, AND HONORED AS THE REPRESENTATIVE OF A GREAT, FREE, POWERFUL, AND INDEPENDENT NATION."

Subsequent events made these last words memorable.

A few days after, the Secretary of State sent to Mr. Gerry a peremptory requisition to return. The letter did not reach its destination, but its substance shows the light in which his stay was regarded by that officer at least. It stated that by the instructions of March 3d, he would have already perceived that the return of all the Envoys had been expected, even before its arrival, and that they were sent rather from caution than supposed necessity. The respect due to themselves and their country, he was told, required that they should turn their backs on a government which treated both with contempt —an indignity aggravated by the insidious distinction in his favor; especially when the real object of that dis-

[a] A peremptory letter of recall was sent to him on the 25th of May.

tinction was to enable the French government, trampling on the authority of our own, to designate with whom they would condescend to negotiate.

After the first despatches had been sent to Congress, and it appeared evident that the negotiation had indeed ceased, its measures in accordance with the expressed views of the country became still more decisive. An act was passed, authorizing the armed vessels of the United States to capture and bring into port French armed vessels, depredating on the commerce of the United States. This was followed on the 13th of June, by one suspending all commercial intercourse between the United States and France, and its dependencies, and by that which had created so much opposition from the Gallican party, the act permitting merchant vessels to resist capture, now in addition permitting them to take the aggressors, and make recaptures.

The continued opposition to this law appears extraordinary at the present day. When, in furtherance of the proclamation of neutrality of 1793, instructions were issued from the treasury department to the collectors, restricting in certain cases, the arming of private vessels, and even when the act of 1794 was passed to prevent the fitting out of cruisers against friendly vessels, a similar opposition was found from the same source. Such a restriction upon the natural rights of man, was abhorrent to the disciples of the French school.

But now that it was proposed simply to defend ourselves, the case was altered. The loss of fifteen millions of dollars by piratical captures and confiscations of American property, furnished in their minds no argument for protecting what remained. Mr. Jefferson, in his correspondence, endeavors, it is true, to establish the idea that the merchants themselves did not desire the permission to arm; but it seems rational to suppose that those who represented mercantile states, should better under-

stand the wishes of that class, than a gentleman residing in the interior of one without trade of its own; and that the petitions of the merchants themselves should more clearly indicate their views of expediency than the memorials of Virginia militia companies.[a] The true secret of opposition was the wish of the Gallican party to break down the commerce on which the north relied as a main source of her prosperity; and national honor, as well as individual right, was to be sacrifieed to this object.

The opinion that at least precautionary measures against attempted invasion should be at once taken, daily gained strength in the country. The obscure hints of Talleyrand's agents, that the fate of Venice might befall the United States, that France was well aware that this country, in case of war, could not be united in defence of the administration, that Great Britain must soon fall, or be driven to beg peace on any terms, and that then we should be left alone to the vengeance of the Directory; the invasion of that country, now known to be in preparation, an attempt certainly not less wild than an attack upon one supposed to be so divided as the United States, and above all the threats of war which had been made to Mr. Gerry, and the rumors which had from time to time prevailed of its actual declaration, contributed to render the event probable. The tone of the anti-federal press, and the movements of the French party, and of the foreign residents, strengthened the suspicion, and added to it the conviction that invaders from abroad would not want co-operators at home. An act supplementary to that creating the provisional army, in consequence, was passed towards the end of June, authorizing the commission as soon as the President should deem expedient, of as many field officers as were necessary for its organization and discipline. It was considered advisable that this step

[a] A remonstrance against this law from a militia company in the interior of that State, was one of several presented to Congress during the session.

should be effected at once, and as public opinion had already pointed out in Washington, the one upon whom the chief command should be conferred, he was upon the second of July nominated to the Senate as "Lieutenant General and Commander-in-Chief of all the armies raised, or to be raised in the United States," and on the next day was unanimously confirmed.

The opinions of Washington on the propriety of the measures taken at this juncture, and of the general aspect of our affairs, are important to be considered, both from the weight of his character, the known coolness of his judgment, and the opportunities which, retired from active participation in politics, but awake to all that was passing, he possessed for forming sound and dispassionate conclusions. The recent publication of his writings, has opened the means of obtaining, not only these opinions, but the premises on which they were founded. The anti-federalists, with Jefferson at their head, have spared no pains to create the impression, that the army raised for the defence, was intended for the subjugation of the country; that they, and not the French, were the intended enemy. These papers conclusively demonstrate that the situation of the United States demanded every preparation, if not for repelling actual invasion, at least for preventing the attempt, by convincing France of the improbability of its success.

Washington, *after* the manifestation of a general and decided national spirit was, it appears, satisfied that France would not carry her menaces into execution, at least during the continuance of the war with England; that her object then would be to continue the system of plunder, and by evasion and delay, to put off any definite settlement of our claims, and avoid a reparation for the injuries already committed. Of the influence exerted by the French faction in America, in instigating her course, and the danger of continued machinations on their part,

he was, however, fully convinced. Thus he says, in a letter to the Secretary of War.

"It would be uncandid in me not to confess that, although I highly approve of all the defensive and precautionary measures that have been adopted, and wish they had been more energetic; yet I cannot believe, since the *people* of this country, on whose defection that calculation was made, have come forward with such strong and unequivocal assurances, to defend at all hazards their government and independence, maugre the attempts to divert them from it, that the Directory of France, intoxicated and abandoned as it is, will have the folly to invade our territorial rights, otherwise than by predatory attempts on the seaboard; *unless* their agents and partisans among us, in defiance of the evidences of their senses, should still have the wickedness and address to make that government believe that nothing but a force to give countenance to its friends, is wanting to effectuate all they wish. This, sir, is my opinion with respect to a *formidable invasion*."[a]

Of the course that invasion would take, if attempted, his opinion is likewise given. To the *southern* section of the country he expected that it would be turned; "First, because it is the weakest. Secondly, because they will expect, from the tenor of the debates in Congress, to find more friends there. Thirdly, BECAUSE THERE CAN BE NO DOUBT OF THEIR ARMING OUR OWN NEGROES AGAINST US. And, fourthly, because they will be more contiguous to their islands and Louisiana, if they should be possessed thereof, which they will be, if they can."[a]

It is not a little remarkable that, among the motives to an increase of the military force of the country at this time, the fear of servile insurrection should have been so entirely forgotten. Such an occurrence, though not a matter for public discussion, was well considered at the time. The proximity of the French West India possessions, with their free black population, rendered it more than possible. A handful of men; a supply of arms; the standard of freedom displayed by a nation of "Amis des noirs;" and the objects of France might have been well

[a] Sparks' Writings of Washington, XI, 248.

nigh accomplished without the trouble of a more regular invasion.

The following is an extract from the letter, in which Washington notified the President of his acceptance of the offered command:

"It was not possible for me to remain ignorant of, or indifferent to recent transactions. The conduct of the Directory of France towards our country; their insidious hostilities to its government; their various practices to withdraw the affections of the people from it; the evident tendency of their arts, and those of their agents, to countenance and invigorate opposition; their disregard of solemn treaties, and the laws of nations; their war upon our defenceless commerce; their treatment of our minister of peace, and their demands, amounting to tribute, could not fail to excite in me corresponding sentiments with those which my countrymen have so generally expressed, in their affectionate addresses to you. Believe me, sir, no one can more cordially approve of the wise and prudent measures of your administration. They ought to inspire universal confidence; and will, no doubt, combined with the state of things, call from Congress such laws and means, as will enable you to meet the full force and extent of the crisis.

Satisfied, therefore, that you have sincerely wished and endeavoured to avert war, and exhausted to the last drop the cup of reconciliation, we can with pure hearts appeal to Heaven for the justice of our cause, and may confidently trust the final result to that kind Providence which has heretofore, and so often signally favoured the people of these United States."[a]

The opinions of Washington were honestly shared by the federalists. That war could only be averted by a preparation for it, they now doubted not. The recklessness of the opposition; the disaffection of the foreign residents, was to them evident. They believed that even in case an actual invasion of the country was not attempted, efforts would be made, by descents upon the seaboard, to distract the government, and divide the people. They knew the reliance placed by the French upon its citizens and partisans here, and how well founded that reliance was. They could not but fear that the first show of force would be met by armed assistance from the banded clubs of European refugees, if not of their American allies.

[a] Sparks' Writings of Washington, XI. 261.

Finally, the danger of negro insurrection was prominent in their view. This, at least, was no fiction of a diseased imagination. Under such impressions had the defensive measures of the federalists been taken. That their motives were misrepresented; that charges as injurious as false, were brought against them by those whose designs were thus thwarted, is not strange; but it is justly a subject of admiration, that those who instigated the mischief should have been suffered, by any people, to reap its reward.

In July, further steps were taken. An act received the signature of the President, setting forth the repeated violations of the treaties between the United States and France, by the latter nation; her refusal to acknowledge the claims of the American government for reparation; the unworthy treatment of the American envoys; the continuance, under her authority, of a system of predatory violence, infracting the said treaties, and hostile to the rights of a free and independent nation; and declaring "that the United States were of right freed and exonerated from the stipulation of the treaties, and of the consular convention theretofore, concluded between them and France; and that the same should not thenceforth be regarded as legally obligatory on the government or citizens of the United States." Another followed immediately, authorizing the President to instruct the commanders of public armed vessels to capture *any* French armed vessels whatever, and bring them in for condemnation; and further permitting the issuing of commissions to private armed vessels. A marine corps was established, and twelve additional regiments of infantry, and six troops of light dragoons, were added to the regular army, to continue during the existing difficulties with France.

The act thus augmenting the army, provided for two Major Generals, an Inspector General, with the rank of Major General, three Brigadiers, and other officers, in ad-

dition to the then permanent establishment. These officers were soon after appointed; and, together with the Commander-in-Chief, employing in raising the additional regiments. The officers of the *provisional* army were not appointed till some time after, and the army itself was never, in fact, raised. This fact is necessary to be remembered, as the provisional army is often confounded with the new levies.

To meet the expenses incident to placing the country in the state of defence, and the creation, on so sudden an emergency, of a navy, additional funds again became necessary. The committee of ways and means, on the 21st of April, requested of the Secretary information on which estimates could be formed, of the sums which would probably be required; of the probability of obtaining a loan in anticipation of the direct tax, if imposed; and, also, of obtaining a permanent loan of $5,000,000, in irredeemable stock, based on new revenues, with an efficient sinking fund. This information was immediately furnished. The following statement embraced the expenses for all objects, other than for defence. In the estimate of receipts, a failure of $500,000 in the import duties was allowed, in consequence of spoliations and the stoppage of commerce; while the internal revenues were stated at $125,000 higher than the preceding year, and $200,000 per annum was allowed for the stamp duties.

ESTIMATED EXPENDITURES FOR THE YEAR 1798.

For the foreign debt due in Amsterdam and Antwerp, interest and principal,		$600,041 00
For the domestic funded and unfunded debt,		3,063,120 67
For the interest on temporary loans,		216,400 00
Civil list,	460,227 41	
Annuities and grants,	1,863 33	
Mint establishment,	11,700 00	
Diplomatic expenses,	103,650 00	
Military establishment,	1,233,412 98	

Military pensions,	93,400 00	
Naval establishment,	373,645 00	
Light houses, &c.,	40,000 00	
Algerine treaty,	72,000 00	
Indian treaties,	11,000 00	
		2,400,898 72
Erecting new light houses, &c.,	40,000 00	
British and Spanish treaties,	376,000 00	
Reimbursement of unfunded and registered debt,	130,000 00	
		546,000 00
Additional grants, errors and deficiencies,		100,000 00
Total expenditure,		$6,926,460 39

ESTIMATED RECEIPTS FOR THE YEAR 1798.

From duties on imports and tonnage,	$7,000,000 00
Internal duties, excepting stamps,	700,000 00
Stamp duties for six months,	100,000 00
Postage of letters,	50,000 00
Fees on letters patent,	1,400 00
Interest on redeemed stock,	89,457 84
Dividends on bank shares,	71,040 00
	$8,011,897 84
Leaving a balance of estimated receipts over expenditures, which would be applicable to redemption of debt, if not otherwise appropriated, of	$1,085,437 45

In reply to the other inquires as to loans, the secretary answered as follows:—

"I entertain no doubt that the Bank of the United States will readily consent to continue the loans which they have made to the United States; and I feel entire confidence that funds can be obtained in anticipation of any solid revenues which can be established.

It is not easy to form a certain opinion of the sum which can be immediately obtained on permanent loans, nor of the expense which will attend them. The United States are unquestionably entitled to credit on the most advantageous terms: the instalments in Holland, which became due prior to the present year, have been discharged; effectual remittances for the sums which will be payable before December next, have been assured; the sums of stock which are offered

for sale are not considerable; there is no ground for distrusting the public ability or good faith; the present prices of stock are not considered as indications of distrust, but of the high value of money at the present time. Assurances have been received, from wealthy and influential men, that they will assist the United States with loans on reasonable terms. On these grounds I conceive myself justifiable in expressing an opinion that the public credit will afford resources adequate to any exigency which can be reasonably contemplated.

But to the success of new loans, and especially as a security against a too common abuse of the funding system, it is of the utmost importance to establish competent funds for the reimbursement, in a reasonable time, of any capitals which may be borrowed. The provision of a sinking fund, as mentioned in your letter, ought therefore to be considered as an indispensable requisite."

The committee reported on the 1st of May. Taking the total amount of revenue and the ordinary expenditures as stated above, there would remain the surplus of $1,085,437 45, which, if left unappropriated, would go to the discharge of the debt, but which might be applied towards defraying the extraordinary expenses voted during the session. These were as follows:—

Fortifications,	$340,000	
Fabrication, &c., of arms, &c.,	900,000	
Naval armament,	950,000	
New regiment artillery,	172,143	
Quarter-master's and contingent,	40,000	
Equipment of galleys,	80,000	
Total extraordinary expenses,		$2,482,143

The committee, in this statement, did not take into view the expenses of military defence, either by a provisional army or detachments of militia. It was certain that whichever move was adopted, a considerable expense, in case of actual service would be incurred; how far the expense ought now to be contemplated was left for the house to decide. It was to be remembered, moreover, that the interest and extinguishing annuity on the deferred six per cent. stock would become payable in 1801, and that heavy instalments of foreign debt would fall due during the three years succeeding that year, for

which it would be necessary to provide above the amount of present ordinary expenditure.

To meet the extraordinary expenses above mentioned, Congress had no funds beyond the surplus already stated, which fell short of the amount required by $1,396,705. In addition to this, two instalments of the debts due the the Bank of the United States, amounting to $400,000, fell due at the close of the year, which, if paid, would increase the amount required by that sum. Under these circumstances it was, in their opinion, necessary to raise the sum of $2,000,000 by a direct tax on lands, houses, and slaves, to be apportioned among the several states, according to the basis of the last census, the mode of assessment and collection to be uniform throughout the United States. This sum, though exceeding the amount required at the moment, was, in contemplation of future demand, as small as was considered safe.

On the subject of the apportionment of the direct taxes, the Secretary was further consulted. His letter of May 25th to the chairman of the committee of ways and means on that subject, proposed some modifications in the details of his original report, principally arising from the increased amount of tax to be levied.

The tax was apportioned to the several states on the enumeration or census of August, 1790, when the whole representative number, including three-fifths of the slaves, was 3,650,250. It was proposed that the tax be assessed to individuals as follows:—

"1st. On dwelling houses, to be distributed into nine classes, and taxed uniformly in each class.

2d. On slaves, to be taxed uniformly.

3d. On lands, to be taxed at such rate ad valorem in each state as, with the sums assessed on houses and slaves, will produce the entire amount of the sums apportioned to the respective states."

According to the estimates, the tax on houses, as proposed, would produce	$1,315,000 00
And the tax on slaves,	228,000 00

Leaving to be raised, by an assessment ad valorem upon lands, the sum of - - - - - - - - - -	457,000 00
	$2,000,000 00

Bills were subsequently brought in, pursuant to the recommendation of the committee, providing for the valuation of lands and dwelling houses, and the enumeration of slaves within the United States, and to lay and collect a direct tax upon those objects. They were not, however, finally passed until July. Authority was given to the President to borrow $2,000,000, in anticipation of the amount. To answer present exigencies another act was passed, enabling the President to borrow $5,000,000 for the public service, on the most advantageous terms which could be obtained, the stock issued for the loan to be reimbursable at the end of fifteen years, and the monies to be applied to make up the deficiencies in the appropriations and defray the expenses of national defence. For the payment of interest and the reimbursement of principal, the surplus of impost and tonnage duties were bound, and the faith of the United States pledged to provide permanent revenues for any deficiency. The certificates of stock under this act were not, however, issued until the following year. The act of the 30th June, providing an additional armament for the protection of trade, empowered the President to purchase, or contract for the building of a number of vessels on credit, for which 6 per cent. stock of the United States might be issued, the principal to be redeemable at pleasure. Several vessels were obtained under this provision, and in the following year certificates to the amount of $711,700 were issued accordingly. This stock, in the financial history of the country, is known as the navy 6 per cents.

FROM ALEXANDER HAMILTON.

[New York], June 29, 1798.

Dear Sir,

I have this moment seen a bill brought into the Senate, entitled "a Bill to define more particularly the crime of treason," &c.

There are provisions in the bill, which, according to a cursory view, appear to be highly exceptionable, and such as more than any thing else may endanger civil war. I have not time to point out my objections by this post, but I will do it to-morrow. I hope sincerely the thing may not be hurried through. LET US NOT ESTABLISH TYRANNY. Energy is a very different thing from violence. If we make no false step, we shall be essentially united; but if we push things to an extreme, we shall then give to faction body and solidity. Yours truly.

A. HAMILTON.

In reference to the subject of the following letter, it requires to be stated, that a Mr. Lee, who had recently arrived from France, brought with him a number of packets from Talleyrand and others, to prominent members of the French party, in this country. The fact having been discovered, Mr. Lee, it is understood, surrendered them, or a part of them, to government, to relieve himself from the suspicion, which, from this and other circumstances, attached to him, of being connected with some intrigue.

FROM STEPHEN HIGGINSON.

BOSTON, June 29, 1798.

Dear Sir,

I have received a letter from Mr. Stoddert who has assumed the business of the naval department, and with him I am in future to communicate, relative to naval affairs, it is presumed. To him such parts of my former letters to you, will no doubt be communicated, as may call for attention and directions from him.

I see by a publication of William Lee's in a New York paper, that he assures the public that he has delivered to government the packets he received from Talleyrand. This may be true; I hope it is, but I have some doubts. In a late letter to Mr. Pickering, I mentioned the names of Jefferson, Monroe, Randolph, Baldwin, Genet, Bache. There were besides several members of Congress, for whom he had each packets, in all from fifteen to twenty, as a person who saw them displayed on a table conjectured. I hope you will find enough to fix some of them.

The public mind here is growing better, the feelings are rising, a warm and animated address from Congress would bring them to a proper pitch, and if a war is decided on by our government, which I presume, it being the only safe situation possible to be taken in the present state of things, it will be more peculiarly useful. We have opened a subscription for a loan of money to government to build a ship or any other more pressing service, which will amount to $150-000 I expect, or more. You will receive from a committee, communications on this subject, who will tender that amount to be applied in building one large or two smaller ships, as shall be directed, to be built on the lowest terms with cash and without any commissions or benefit; the amounts expended to be a loan at 6 per cent., till it shall be convenient to repay it, or the amounts to be applied in any other service which government may think necessary. I think that half a million of dollars may be at once subscribed here, should the affairs of our country require it, and paid in three monthly instalments; perhaps a million.

Let the President go on with his firmness and decision; the Congress must follow, the people will compel them. I am with due respect, sir, your humble servant.

STEPHEN HIGGINSON.

FROM FISHER AMES.

DEDHAM, July 6, 1798.

Dear Sir,

At last the seeds of federalism which have slept so long in our Dedham ground seem to be sprouting. I have long wished some opportunity to favour the appearance of good sentiments; the 4th of July afforded it. A proposition from me to a young man for an oration, dinner, &c., took very well, and though only a week remained for preparation, it has passed off very well. About sixty clergymen, gentlemen, mechanics, and farmers of Dedham and its vicinity, exceeding in point of influence and respectability, any public meeting I have seen in Dedham, met and dined and drank federal toasts as you will see by the enclosed Gazette. The temper of the company was excellent, and the progress of federalism seems to have begun. Our representative in the general court did not vote for the address, and very properly declined signing that which the company agreed to; but he perceives the strength of the current against his conduct, and would change it, if pride would let him, which it will not. The company almost unanimously signed the address; the extension of the subscription to persons who were not present was not thought proper, and would have occasioned delay.

The detail of a village dinner and its petty politics will not seem wholly trivial to you, as the retired scene affords as good evidence of the working of opinion as the larger, in which the causes of influence are more complicated, and besides it is the first fruits of political conversion in a part of the country which has been exceedingly misled. The vicinity of Boston, the Chronicle, and other causes, have produced Gallicism in abundance. I shall, by the post of to-morrow, send on the address to Col. Pickering. Yours, &c.,

FISHER AMES.

FROM STEPHEN HIGGINSON.

BOSTON, July 9th, 1798.

Sir,

* * * *

The committee of the subscribers to the loan have written to the Executive for directions as to the application. They have full powers from the subscribers, and will apply the money with judgment and economy. They are men who know the use and value of money, except ——— who was appointed by mistake, and most of them well acquainted with navigation.

Our merchant ships are arming and some are waiting for commissions, which have been expected for some time. Congress do not move as if they were spirited as the times require; the President will stimulate and excite them, I hope, to more energy before they rise. Here the feelings are rising, we shall soon be capable of exertion. I am yours, &c.,

STEPHEN HIGGINSON.

BOSTON, July 11, 1798.

Sir,

* * * *

I am glad to find that Congress make progress. Though slow they seem to advance towards my point, that of an open and active naval war. Nothing short of this will depress effectually the French faction, or discourage the Directory from continuing their efforts to support their partisans in our country or councils. Since writing the above I have received yours of 5th instant. Mr. Lee has called several times on me to make his communications and apologies, which are not satisfactory to me. They do not, in a high degree, remove a belief that he was charged with those packets which he delivered to you, and others which were forwarded as directed, by Mr. Talleyrand or one of his agents, and that he received passports from the marine office as a compensation, with which he expected to have pursued a beneficial commerce, without danger. Mr. Lee is a weak young man, has no talents or address to become an efficient agent for the French, nor has he a disposition or temper proper for their purposes. His heart appears to be good, without much principle or judgment to guard against flattering temptations; his nerves are not firm, nor his discernment quick, so that he may be easily affected both by his hopes and fears.

It is unfortunate that our friends in Congress are not better united in sentiment and pursuit; the country is in great danger from their divisions and indecision. They want an imposing, firm leader, to direct their measures, and to whip in the stragglers from party and duty. It is weakness and folly, or what is worse, hypocrisy and deceit, to talk of acting independently of party, of judging for oneself, &c. &c. It is impossible for government to get along whilst its friends are so divided and the opposition faction so firm and united. In times like the present, when dangers, novel in their kind and terrible in their aspect, press us on every side, it is provoking to hear men talk of their independence, their candour, their love of conciliation, and their aversion to party, like Mr

Coit, or to be in opposition to an all-important measure, because a word happened to be spelt with a great letter instead of a small one, or because the majority had determined to step over a straw which lay in their way instead of going around it, like Mr. Gerry. But the Executive may, and will, I trust, arrest all such wanderers from sense and duty, and bring them into the ranks where they ought to be, supporting their friends and their country, by forming a phalanx capable only of one movement, and that to be directed by the majority, or what would be still better, by a select committee to report measures. We must come to some such order of things, or there can be no energy, no union or decision equal to the times; and if the President will go on with his system, he will give the tone to the people, and they to a twaddling, whiffling Congress. If we hesitate or pause now, the faction will revive, and all the avenues for French poison and intrigue be again opened. Mr. Livingston's motion will be renewed, and perhaps a Carte Blanche sent to the Directory. Nothing but an open war can save us, and the more inveterate and deadly it shall be, the better will be our chance for security in future. At this moment especially, I consider you, who are the head of the Executive departments, as having a claim to the aid of every man on whom you may call. I therefore shall at all times, be ready to assist you in any mode, and at any time you think I can be serviceable. I have the honour to be your most humble servant,

STEPHEN HIGGINSON.

FROM TIMOTHY PICKERING.

[PHILA.,] July 11th, 1798.

Dear Sir,

I have but a moment to inform you that although strange ideas are entertained by [the President] relative to the general and staff officers, yet Col. B., [Burr] will assuredly not be Q. M. G., [Quarter Master General]. He has mentioned to the President the necessity of an immediate appointment of Q. M. G., to provide everything belonging to that department, but it is impossible that Gen. W. should confide in him, and therefore, he cannot be appointed. Truly Yours,

T. PICKERING.

FROM STEPHEN HIGGINSON.

BOSTON, July 13, '98.

Sir,

Your letter of July 6th I have received, with the enclosures.

These small vessels will be beneficial to train up young men for the Navy, who, from the ardour of the present moment, are stimulated to engage in the service; and who being well chosen, will become soon, good officers for larger vessels. We have not only a Navy to raise and officers to form, but we have to root out and counteract the ill habits contracted in our navy last war, when no proper characters were in the service, and no examples that will serve as models for an

young man to follow. In my view, it is a primary object to select proper characters for the Navy; such as have right habits, principles and feelings; capable of being trained to proper discipline. Upon this depends the reputation and utility of our Navy; but no aid can be derived to this purpose from any characters I ever knew in our Navy last war. A good man, who has been in the service, ought not to be neglected; it should give him a preference in promotion; but when you will recollect that bluster and noise, too often brought improper men into the service the last war, and that a large portion of those in public offices of inferior grades were continued as being the incumbents; or as having been in similar stations, were anew appointed, it should be a caution against an indiscriminate promotion, without regard to merit or qualities. In all our districts, a great part of our custom house officers have been of a Jacobin cast, and many of them very inveterate against the government.

I have, since my last, had a long interview with Wm. Lee, who handed you the packets from France. He has satisfied me that his being suspected of having been improperly connected with the French government was not well founded, though the appearances were such as justified suspicion. He showed me several original papers, by which it appeared that he had formed an arrangement with Mr. Barlow and a Mr. Kyles in France, to load several vessels here with coffee, sugar and tobacco for the French market; and that the passports he had were purchased of the Minister of Marine, who made a perquisite of them to protect their vessels being under American colours. It appeared farther, that a young Frenchman who came here with Mr. Lee, was the person who obtained the passports, and was some how interested in the business; and, that finding their object defeated by the state of things in this country, he had returned to France from New York, and took the passports back with him. All this appeared evident from original papers which I have read. The common idea here, therefore, though natural, was not just—that Mr. Lee had been seduced to take charge of packets of seditious papers, and had received a compensation in those passports. It is but just and proper to state this to you, after what I have said; and I am glad to have the occasion, for I never viewed Wm. Lee as an enemy to our country, or a depraved man. With much respect, I am, sir, your humble serv't.,

STEPHEN HIGGINSON.

FROM JOHN DAVIS.

BOSTON, July 16, 1798.

Dear Sir,

Presuming that a perusal of the enclosed oration would be gratifying to you, I do not hesitate a moment to offer a copy for your acceptance. My friend Mr. Quincy, who has much of the right sort of ambition, will be much gratified if it meets your approbation. We have sustained a severe loss in the death of the excellent Dr. Belknap. As a scholar, a divine, a friend, and a gentleman, he was most distinguished. On my removal to this town, I became his parishioner; and now, when the intimate connection I had formed with him has failed,

I sensibly feel how considerable a portion of my happiness was derived from it. A life of literary industry did not produce to him that reward his labours merited. To relieve a deserving family, and to present to the world the valuable professional writings of Dr. Belknap, the enclosed proposals have been issued; and to judge from present appearances, will be handsomely encouraged here. Knowing the pressure of your public engagements, I cannot ask you to pay particular attention to a concern of this nature, but I would request you, when you meet with Mr. Hazard, (who was well acquainted with Dr. B.) to deliver the proposals to him; and I cannot but hope that a considerable number of subscribers may be obtained in Philadelphia.

The correct and manly tone which the public mind has assumed, is formed on such a basis, that it promises to remain for some time unabated. It is said of *Pericles* that he frequently repeated to himself, "Remember, Pericles, that you command freemen—that you govern Grecians." A greater and better man than Pericles, seems to decide and act under the spirit of a similar reflection, and I feel a consoling confidence he will not be disappointed in the honourable opinion he has formed of his countrymen. Yours, with sincere and respectful regard,

JOHN DAVIS.

Congress adjourned on the 19th July. The principal acts passed during this session for the physical defence of the country have been here detailed, but there was another class, which, though properly relating to the internal police of the country, were in reality all connected with the state of foreign relations and with the sentiments of the hostile parties in reference to them. Such were the acts of 18th June amending the previous naturalization laws, which extended the term requisite for the acquisition of citizenship to 14 years; that of June 25th, entitled an act concerning aliens; that of July 6th, concerning alien enemies; and the act of July the 14th "in addition to the act for the punishment of certain crimes against the United States." The three last, so well known as the ALIEN AND SEDITION LAWS, were particularly the objects of violent dissatisfaction from the anti-federalists, and have been perpetuated as standard subjects of slang ribaldry, and partisan vilification to the present day; as little, however, being generally known of the objects and

purport of the acts themselves, as of many other subjects of popular hatred. Now, however, that "federalism," with all its sins and iniquities has passed away—that years of successful and uncontrolled democracy have rolled over us, and its purer light has dissipated the darkness that hung round the first years of our national existence, it may be safe to examine the character of some of the measures against which the great champions of that party directed their efforts, that we may see whether they indeed slew giants or only combatted against phantoms.

The alien law empowered the President "to order all such aliens as he should judge dangerous to the peace and safety of the United States, or should have reasonable grounds to suspect were concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States within such a time as should be expressed in such order." In case of disobedience, such aliens on conviction before the circuit or district courts of the United States, were subjected to imprisonment for not more than three years and incapacitated from becoming citizens. The subsequent law respecting alien *enemies*, enabled the President, on a declaration of war, to cause the subjects of the belligerent nation "to be apprehended, restrained, secured, and removed as alien enemies." Under both acts they were permitted to remove their property, and under the latter, if not chargeable with crimes against the United States, to depart themselves.

The sedition act was, however, by far the most unpopular of these measures. "The other," says Mr. Tucker, "was condemned by most Americans, like the stork in the fable, for the society in which he was found, and for the sake of soothing the great class of foreigners who were not yet naturalized, the greater part of whom, particularly the Irish and French, were attached to the

republican party."[a] This act imposed fine and imprisonment for unlawfully combining or conspiring, with intent to oppose the measures of the government, when directed by the proper authority; for impeding the operation of any law of the United States; intimidating an officer from the performance of his duty, or counselling or advising with similar intent, insurrections, riots, or unlawful combinations. It also imposed similar but lighter penalties for the publication of false, scandalous, and malicious writings against the government of the United States, either House of Congress, or the President, with intent to bring them into contempt, to stir up sedition, or to aid or abet a foreign nation in hostile designs against the United States. The right of the accused to give the truth in evidence, and of the jury to judge both of law and fact, were secured by the act, and its duration was limited to two years.

Such were the measures which at this most critical period of our history, when the United States, if not carrying on, were *undergoing* a war with France; when the country swarmed with spies and secret agents; when her "intimate ally," Spain, had possession of our border fortifications; when foreign emissaries and native-born traitors were exciting the Indians to hostilities; when fugitives from the justice of Great Britain were stirring up internal dissensions, Congress adopted to rid her country of its most dangerous, because domestic enemies. The laws themselves sprung from existing facts, and self-preservation demanded that the power of providing for the public safety, vested in every government by the very objects of government, should now be used. Whatever of apparent despotism was contained in them, it may be observed was far exceeded in a measure of Mr. Jefferson's, intended to rid himself of his rival, Burr. A sus-

[a] Life of Jefferson, II., 45.

pension of the habeas corpus act, at his instigation, was voted by the Senate, and would have become a law but that the House were not yet so subservient. Touching their policy as tending to increase or diminish the popularity of the federal party, but little need be said. The leaders of that party was not men who very highly valued their popularity, when the safety of the institutions they had erected were concerned. The acts unquestionably offered to the opposition new and fatal points of attack; but they secured the object sought in them, a far greater one than the mere possession of power. They drove out the horde of locusts who threatened to make that power not worth holding. The good effects of the alien acts were perceived, even before their passage, in the flight of some of the most notorious of the incendiaries. "The threatening appearances from the alien bills," says Mr. Jefferson, "have so alarmed the French who are among us, that they are going off. A ship chartered for this purpose, will sail within a fortnight for France with as many as she can carry. Among these, I believe, will be Volney, who has in truth been the principal object aimed at by the law."[a] Another of these was Collot, who, it will be remembered, had signalized himself in the spring of 1796. The passage of these laws was in fact their only execution.

The sedition law was never enforced except against a few, and those of the most reckless and infamous of their class; of whom, Callender, an alien and a fugitive from justice, was an example. This individual had been fostered and supported by Mr. Jefferson himself, and it is a striking instance of retributive justice, that the pen which, at his instance, was directed against the federalists, was afterwards turned with added venom against himself. The refusal of an office, when Mr. Jefferson attained the

[a] Jefferson's Writings, III.

object of his own hopes, led to Callender's apostacy, notwithstanding that Mr. Jefferson had remitted the fine imposed by the court on his conviction. For once, the mercenary fought without pay.

That there was a necessity at least for the laws regarding aliens, a few facts will demonstrate. There were at this time computed to be about 30,000 Frenchmen in the United States, some of them emissaries of note, most of them associated even at this time in clubs, all animated by strong national feelings, and entirely devoted to the interests of France. The number of British born subjects was still greater. Many of these were fugitives from justice for political, or other offences, and possessed with a deep hostility to their own country. Great numbers of the United Irishmen had fled to America in the year 1795 and subsequently, and they too were organized in associations. The same was the fact as to the bodies of German emigrants. The whole of this multitude of foreigners were attached to France from various motives, and were the active instruments of all her machinations. Their numbers, their factiousness, and the perfect state of their organization, rendered them most justly a subject of general alarm among all classes of Americans, who were not themselves regardless of the peace and welfare of their country. A single instance, furnished by a letter from Governor Mifflin of Pennsylvania, himself a Jeffersonian, to the President, dated June 27th, and transmitted on the same day to Congress, will serve as an illustration. The letter contained information, that on the evacuation of Port-au-Prince by the British troops, a very great number of French white men and negroes, were put on board of transports and sent to America. Some of the vessels made an attempt to land at Charleston; two of them arrived at Philadelphia, and the remainder were daily expected in different ports of the United States. Gov. Mifflin wisely prevented their landing at Philadelphia, but the limited

jurisdiction of the state, the facility of evading its regulations by disembarking the negroes elsewhere, and the probable necessity of extending the prohibition to whites, induced him to request the interposition of the Federal authority. It was ascertained that these men were nearly 4000 in number, many without funds, a considerable number of them slaves, that had been trained to arms, and were attached to their master's interest, and fully ripe for any turn which might be taken with regard to France.

Wolcott's own opinion of the *sedition* law appears in a letter to Mr. King, written a number of years after. He says:

"The sedition law, I never thought a wise measure, though it is absurd to pretend that it is unconstitutional. It [the pretence of unconstitutionality] was occasioned by the metaphysical doctrines of some Virginia lawyers, who persuaded Judge Chase that the United States had no common law, though they admitted it to be a rule of decision in the state courts. The constitution of Virginia contains a declaration equivalent to that in the constitution of the United States, in favour of the liberty of the press, and THE SEDITION LAW IS MERELY A COPY FROM A STATUTE OF VIRGINIA IN OCTOBER, 1776; but, say the Doctors, different rules of construction are to be adopted in expounding the two instruments."

The subject of these acts was afterwards considered, in a report made by a committee at the succeeding session, to whom a number of petitions for their repeal, were referred. The report in a masterly manner defended their constitutionality, and the grounds on which Congress were justified in passing them. The petitions solicited the repeal of the alien act and of the sedition act, on the several grounds of their being "unconstitutional," "oppressive," and "impolitic."

On the *unconstitutionality* of these laws, the argument of the committee is believed to be conclusive.

Respecting the first of them, it was contended that the asylum given to foreigners was a matter of favor, dependent on the public will, as attested by the common practice

of all nations. The right of removing them as an incident to the power of peace and war, belonged to the national government. To remove from the country, in times of hostility, dangerous aliens, who might be employed in preparing the way for invasion, was a measure necessary for the purpose of preventing invasion, and of course one which Congress was authorized to adopt. The opponents of the law had insisted upon its unconstitutionality as contravening the 9th section of the 1st article, which provides that the migration and importation of such persons as any of the States shall think proper to admit should not be prohibited by Congress prior to 1808. To this it was answered, First, That the section was adopted solely to prevent Congress from prohibiting, until after a fit period, the importation of *slaves*, and referred to slaves alone. Secondly, That to prevent emigration in general, was a very different thing from sending off, after their arrival, such emigrants as might abuse the indulgence, by rendering themselves dangerous to the peace or safety of the country; and that if the Constitution in this particular, should be so construed, it would prevent Congress from driving a body of armed men from the country, who might land with views evidently hostile. Thirdly, That as the Constitution had given to the States no power to remove aliens during the period of limitation, there would be no authority in the country empowered to send away such as proved dangerous; a doctrine which could not be admitted. The section therefore, could not be considered as restricting the power of the United States, to send away such aliens at a time of actual or threatened hostility, and although at the time of passing this act, the country was not in a state of declared war, it was in a state of hostility.

Again, the law was said to violate that part of the Constitution which provided, that "the trial for all crimes except in cases of impeachment, should be by jury;"

whereas, this act invested the President with power to send away aliens on his own suspicion, and thus to inflict punishment without trial by jury.

It was answered in the first place, that the Constitution was made for *citizens*, not for *aliens*, who by consequence have no rights under it, but remain in the country and enjoy the benefit of the laws, not as a matter of right, but merely as matter of favor and permission, which favor and permission might be withdrawn whenever the government, charged with the general welfare, should judge their further continuance dangerous. In the second place, that the provisions in the Constitution relative to trial by jury, do not apply to the revocation of an asylum given to aliens. These provisions solely respect criminals; and the alien may be removed without having committed any offence, merely from motives of policy or security. The citizen, being a member of the society, has a right to remain in the country, of which he cannot be disfranchised, except for offences first ascertained on presentment and trial by jury. In the third place, that the removal of aliens, though it might be an inconvenience to them, could not be considered as a punishment, but as the withdrawal of an indulgence which there was danger of their abusing, and which we were not bound to continue.

The Sedition Law contained provisions of a two-fold nature—first against seditious acts, and second, against libellous and seditious writings. Against the validity of the first, there could be no objection; it applied solely to the second.

The first ground assumed was, that Congress have no power by the Constitution, to pass any act for punishing libels—no such power being expressly given, and all powers not so given to Congress being reserved to the States respectively, or to the people thereof.

To this objection, the committee replied, that a law to punish libels upon the government, with intent to stir up

sedition, was a law necessary for carrying into effect the powers vested by the Constitution in the government of the U. S., and consequently, such a law as Congress could pass; because, the direct tendency of such writings was to obstruct the acts of the government by exciting opposition to them, to endanger its existence by rendering it odious, and to produce seditious combinations against the laws, the power to punish which, has never been questioned; because it would be manifestly absurd to suppose that a government might punish sedition, and yet, be void of power to prevent it, by punishing those acts which plainly and necessarily lead to it; and because under their general power to make all laws proper and necessary for carrying into effect the powers vested by the Constitution in the general government, Congress had passed many laws for which no express provision can be found in the Constitution, and the constitutionality of which had never been doubted. A number of instances were cited in illustration of this point.

A second objection to this act, was, that it contravened that part of the constitution which declares that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise of it, or *abridging the liberty of the press.*" The act in question, it was said, abridged the liberty of the press, and was therefore unconstitutional. This objection was met, in the first place, that the liberty of the press consists not in a license for any man to publish what he pleases, without being liable to punishment if he should abuse this license to the injury of others; but in a permission to publish *without previous restraint*, whatever he might think proper, being answerable to the public and to individuals for any abuse for this permission to their prejudice. Secondly, the law did not abridge the liberty of the press, because that liberty never, by the laws of the United States or of England, extended to the publication of seditious writings against the

government; for it would be a manifest absurdity to say that man's liberty was abridged by punishing him for doing what he never had a liberty to do. Thirdly, the act in question was not unconstitutional, because it made nothing penal which was not penal before; it gave no new powers to the courts, but was merely declaratory of the common law, and in fact abridged, instead of extending the powers of that law. Lastly, had the constitution intended to prevent Congress from legislating at all on the subject of the press, the same language which was used respecting a religious establishment would have been preserved. Congress was therein forbid to make any law "*respecting*" an establishment of religion, it was only forbid to make laws *abridging* the liberty of the press. "It is evident," said the report, "that they may legislate respecting the press, may pass laws for its regulation, and to punish those who pervert it into an engine of mischief, provided those laws do not *abridge its liberties*. Its *liberty*, according to the well known and universally admitted definition, consists in permission to publish without previous restraint upon the press, but subject to punishment afterwards for improper publications. A law, therefore, to impose previous restraint upon the press, and not one to inflict punishment for wicked and malicious publications, would be a law to abridge the liberty of the press, and as such unconstitutional.

The petitions, ostensibly against these two laws, attacked all the other defensive measures adopted during the session. The same report contained a review and justification of them and concluded with three resolutions, one against the repeal of the alien act, one against that of the "act in addition to the act for the punishment of certain crimes against the United States," and the last against the expediency of the repealing of any of the acts respecting the navy, army, or revenue of the United States.

As the best defence of the general measures of this

session, which is known, the conclusion of this report is here inserted at length. It is the more pertinent because this part of it was drafted by Wolcott himself.[a]

"Although the committee believe that each of the measures adopted by Congress, during the last session, is susceptible of an analytical justification, on the principles of the constitution and national policy, yet they prefer to rest their vindication on the true ground of considering them as parts of a general system of defence, adapted to a crisis of extraordinay difficulty and danger.

It cannot be denied, that the power to declare war; to raise and support armies; to provide and maintain a navy; to suppress insurrections and repel invasions; and also the power to defray the necessary expense by loans or taxes, are vested in Congress. Unfortunately for the present generation of mankind, a contest has arisen, and rages with unabated ferocity, which has desolated the fairest portions of Europe, and shaken the fabric of society through the civilized world. From the nature and effects of this contest, as developed in the experience of nations, melancholy inferences must be drawn, that it is unsusceptible of the restraints which have either designated the objects, limited the duration, or mitigated the horrors of national contentions. In the internal history of France, and in the conduct of her forces and partisans in the countries which have fallen under her power, the public councils of our country were required to discern the dangers which threatened the United States; and to guard, not only against the usual consequences of war, but also against the effects of an unprecedented combination, to establish new principles of social action on the subver sion of religion, morality, law, and government. Will it be said that the raising of a small army, and an eventual provision for drawing into the public service a considerable proportion of the whole force of the country was, in such a crisis, unwise or improvident!

If such should be the assertion, let it be candidly considered, whether some of our fertile and flourishing states did not, six months since, present as alluring objects for the gratification of ambition or cupidity, as the inhospitable climate of Egypt. What, then, appeared to be the comparative difficulties between invading America, and subverting the British power in the East Indies! If this was a professed, not a real object of the enterprise, let it be asked if the Sultan of the Ottoman Empire was not really the friend of France, at the time when his unsuspecting dependencies were invaded; and whether the United States, were not at the same time, loaded with insults and assailed with hostility? If, however, it be asserted that the system of France is hostile only to despotic or monarchical governments; and that our security arises from the form of our constitution, let Switzerland, first divided and disarmed by perfidious seductions, now agonized by relentless power, illustrate the consequences of similar credulity. Is it necessary, at this time, to vindicate the naval armament? rather may not the enquiry

[a] This is stated with confidence, though not indeed with absolute certainty, on implication from a memorandum in Wolcott's hand writing, upon his private copy of the report.

be boldly made, whether the guardians of the public weal would not have deserved, and received the reproaches of every patriotic American, if a contemptible naval force had been longer permitted to intercept our necessary supplies, destroy our principal source of revenue, and seize, at the entrance of our harbors and rivers, the products of our industry, destined to our foreign markets? If such injuries were at all to be repelled, is not the restriction which confines captures, by our ships, solely to armed vessels of France, a sufficient proof of our moderation?

If, therefore, naval and military preparations were necessary, a provision of funds to defray the consequent expenses was, of course, indispensable. A review of all the measures that have been adopted since the establishment of the government, will prove that Congress have not been unmindful of the wishes of the American people, to avoid an accumulation of the public debt. And the success which has attended their measures, affords conclusive evidence of the sincerity of their intentions. But, to purchase sufficient quantities of military supplies; to establish a navy, and provide for all the contingencies of an army, without resource to new taxes and loans, was impracticable. Both measures were, in fact, adopted. In devising a mode of taxation, the convenience and ease of the least wealthy class of the people, were consulted as much as possible; and, although the expenses of assessment have furnished a topic of complaint, it is found that the allowances are barely sufficient to ensure the execution of the law, even aided as they are by the disinterested and patriotic exertions of worthy citizens; besides, it ought to be remembered, that the expenses of organizing a new system, should not, on any principle, be regarded as permanent burdens on the public.

In authorizing a loan of money, Congress have not been inattentive to prevent a permanent debt; in this particular also, the public opinion and interest have been consulted. On considering the law, as well as the manner in which it is proposed to be carried into execution, the committee are well satisfied in finding any excess in the immediate charge upon the revenue, is likely to be compensated by the facility of redemption, which is secured to the government.

The alien and sedition acts, so called, form a part, and in the opinion of the committee, an essential part in these precautionary and protective measures, adopted for our security.

France appears to have an organized system of conduct toward foreign nations, to bring them within the sphere, and under the dominion of her influence and control. It has been unremittingly pursued, under all the changes of her internal policy. Her means are in wonderful coincidence with her ends. Among these, and not least successful, is the direction and employment of the active and versatile talents of her citizens abroad, as emissaries and spies. With a numerous body of French citizens, and other foreigners, and admonished by the passing scenes in other countries, as well as by aspects in our own; knowing they had the power, and believing it to be their duty, Congress passed the law respecting aliens; directing the dangerous and suspected to be removed, and leaving to the inoffensive and peaceable a safe asylum.

The principles of the sedition law, so called, are among the most ancient prin-

ciples of our governments. They have been engrafted into statutes, or practised upon as maxims of the common law, according as occasion required. They were often and justly applied in the revolutionary war. Is it not strange that now they should first be denounced as oppressive when they have long been recognized in the jurisprudence of these States.

The necessity that dictated these acts, in the opinion of the committee, still exists.

So eccentric are the movements of the French government, we can form no opinion of their future designs towards our country. They may recede from the tone of menace and insolence, to employ the arts of seduction, before they astonish us with their ultimate designs. Our safety consists in the wisdom of the public councils; a coöperation on the part of the people with the government, by supporting the measures provided for repelling aggressions; and an obedience to the social laws.

After a particular and general review of the whole subject referred to their consideration, the committee see no ground for rescinding these acts of the legislature. The complaints preferred by some of the petitioners may be fairly attributed to a diversity of sentiment, naturally to be expected among a people of various habits and education, widely dispersed over an extensive country—the innocent misconceptions of the American people, will however yield to reflection and argument, and from them no danger is to be apprehended.

In such of the petitions as are conceived in a style of vehement and acrimonious remonstrance, the committee perceive too plain indications of the principles of that exotic system which convulses the civilized world. With this system, however organized, the public counsels cannot safely parley or temporize. Whether it assumes the guise of patriotism to mislead the affections of the people; whether it be employed in forming projects of local and executive ambition; or shall appear in the more generous form of open hostility, it ought to be regarded as the bane of public as well as private tranquillity and order.

Those to whom the management of public affairs is now confided, cannot be justified in yielding any established principles of law or government to the suggestions of modern theory. Their duty requires them to respect the lessons of experience, and transmit to posterity the civil and religious privileges which are the birthright of our country, and which it was the great object of our happy constitution to secure and perpetuate.

CHAPTER II.

SUMMER AND FALL OF 1798.

Immediately following the adjournment of Congress, a circumstance occurred with regard to the appointment of officers, which must be mentioned as one among the number of events which alienated the confidence and esteem of Mr. Adams' friends, and finally led to the dissolution of the party itself.[a]

Anterior to the nomination of General Washington, both the President and the Secretary of War had written to him, requesting his advice on the formation of the army, and intimating a wish that he should accept its command. After mature deliberation, he determined not to decline the service if tendered to him, and so expressed himself in his replies. Thinking it expedient, however, before the matter went further, to be candid and explicit as to his views, he again wrote to Mr. McHenry, who had more openly broached the subject, stating distinctly the conditions upon which alone he could accept the appointment. Before the receipt of any of these letters, President Adams had made, and the Senate confirmed his nomination. This step, taken without his concurrence, was deeply regretted by Washington, and proved the origin of difficulty, and the source of much personal feeling. However good the intention, and however wise the nomi-

[a] For the facts stated in this narrative, a general reference may be given to Sparks' Writings of Washington, XI. and Pickering's Review, Sections V. and VI.

nation, the mode in which it was made was characteristic of the heedless and impulsive nature of Mr. Adams. The Secretary of War was immediately despatched to Mount Vernon, bearing the commission, a letter of announcement, and instructions, directing him to obtain the advice of General Washington as to the formation of the list of officers. "Particularly," the President wished "to have his opinion of the men most suitable for Inspector General, Adjutant General, and Quarter Master General."

The opportunity, to use Washington's language, not having been offered before he was brought into public view of explaining on what terms he would consent to the nomination, all that remained was to declare them afterwards, and this he did fully to the Secretary of War. They were, "that the general officers and general staff of the army should not be appointed without his concurrence." The knowledge of these terms was at the time brought home to President Adams, by a letter from the Secretary of War, in which, (after mentioning that he expected to bring Washington's acceptance of the appointment, with the proviso that he was not to be called into active service until, in the President's opinion, circumstances rendered his presence with the army necessary), he referred to Washington's letter to himself of the 5th of July, which contained the absolute condition of the selection of his own officers, and which the Secretary had directed to be delivered to Mr. Adams. He added that he should obtain from Gen. Washington the names of the persons he considered best for his confidential officers, without whom he thought he would not serve. Gen. Washington, in consequence of this explanation, simply announced his acceptance of the appointment.

With the full knowledge, therefore of these facts, the terms and conditions on which he had consented to serve, Mr. Adams, on the 16th of July, transmitted his letter of acceptance to the Senate, in a special message. To the

Secretary of War the new Commander-in-chief gave a list of the persons whom he wished to be appointed to the principal offices of the staff, and of the line, created by the several acts relating to the army. The Major Generals were therein named in the order in which it was intended that they should take rank; Alexander Hamilton being first, Charles Cotesworth Pinckney second, and Henry Knox third. The Brigadiers, and the Adjutant and Quarter Master Generals were likewise designated.

In communicating, as he immediately did, to Mr. Hamilton and Gen. Knox his nominations, and the rank in which he had respectively placed them, Washington mentioned frankly the delicacy of his task. The public voice, as he had been truly informed, had indicated Hamilton as the second in command. He was sensible that General Pinckney, who was still absent, and whose military reputation at the south stood deservedly high, might be dissatisfied at the arrangement, but expressed the hope that his patriotism would yield to the general good. Of Gen. Knox's acceptance, he did not express a doubt. "I would fain hope," he said to him, "as we are forming an army anew, which army, if needful at all, is to fight for everything which ought to be dear and sacred to freemen, that former rank will be forgotten, and among the fit and chosen characters, the only contention will be who shall be foremost in zeal at this crisis to serve his country, in whatever situation circumstances have placed him."

It will be recollected that the revolutionary army had been disbanded; its chiefs no longer held a military rank in the nation, and many of them were unfitted by age or other causes from situations in the new army; that besides this, some might be best qualified for posts different from those they had previously held. The considerations which had operated with Washington in making his selections and assigning the posts, as well as the importance he attached to the subject, are strongly set forth in his

letters at this period, more especially in his reply to the President's first communication. Unfortunately, General Knox considered the rank assigned him as degrading to himself, and intimated, during the correspondence which ensued, his intention to decline should the arrangement be persisted in, expressing, however, his desire to serve in that case as an aid. Hamilton, on learning that a difficulty existed, placed himself entirely at Washington's disposal. The decision of the latter, though unpleasant, appears to have been at once taken.

Congress had adjourned on the 16th of July, before the Secretary's return from Mount Vernon, and the Senate were detained by the President to receive his nominations. What subsequently followed is detailed in a letter of Mr. McHenry to Gen. Washington, and also in Pickering's Review. Mr. Adams, it appears, on the list of officers recommended, being communicated to him, prepared a message, in which the names of Hamilton, Pinckney, and Knox, as major-generals, were inserted in the order in which they had been arranged. Previously to thus writing them down, he observed that Col. Hamilton, former rank considered, was not entitled to stand so high, and that he did not know the merits which gave Pinckney preference to Knox. Mr. McHenry mentioned Washington's opinions, and, to prevent misconception, showed the President a letter from him to Gen. Hamilton on the subject. It appeared to Mr. McHenry at the time, that these objections were settled. The next day, however, the President recurred to them, saying that he could not think of placing Hamilton before Knox, who for various reasons, among others his former rank in the army, was entitled to rank next to Washington. He finally agreed to follow the arrangement, on the Secretary's admitting that any of the parties, if dissatisfied with the arrangement, might have their claims settled by a board of officers, or the Commander-in-chief. The message was therefore sent

to the Senate, and the generals confirmed in the order named. It further appears, from Col. Pickering's statement, that when the nominations were taken up for consideration, some of the senators, who knew Mr. Adams' antipathy for Hamilton, proposed that they should act on his nomination, and postpone their decision on the other two till the next day, lest, if all were approved on the same day, in which case all their commissions would bear the same date, Mr. Adams should derange that order and raise Pinckney and Knox above Hamilton. But it was answered, that it was the constant usage, grounded on a resolve of the old Congress, that persons nominated and approved on the same day, should take rank in the order in which they were nominated and approved, and that surely Mr. Adams would not violate the rule.

A few days after these transactions, the President suddenly left Philadelphia for Quincy, without apprising either Col. Pickering or Mr. McHenry of his intended departure. Wolcott was absent in Connecticut. This inconsiderate procedure left the Secretary of War without directions at a most important conjuncture, when the duties of his office were enormously accumulated, and dispatch was most requisite for their accomplishment. It added much to the embarrassment which Mr. Adams' previous conduct respecting the appointments had created. His retreat is attributed, by Col. Pickering, to the impulse of irritation at the rejection, by the Senate, of his son-in-law, Col. William S. Smith, who had been nominated for an appointment in the army, and thrown out on account of the discovery of facts derogatory to his character. Mr. McHenry, for the purpose of avoiding as much as possible the delay that would result, forwarded to the President, on the 4th of August, a plan of arrangements, and requested permission to call Generals Hamilton and Knox

to the seat of government. Wolcott also, who had now returned from Connecticut, suggested the same step.[a]

To Mr. McHenry the President replied on the 14th of August, signifying that General Washington might consider himself in the public service, but that calling out any other officers would be attended with difficulty, unless their rank were first settled; that in his opinion Gen. Knox was legally entitled to rank next to Gen. Washington, and that no other arrangement would give satisfaction; that if General Washington was of his opinion, and would consent to it, the Secretary might call Generals Knox and Hamilton into service; and that he "might depend upon it, the five New England states would not patiently submit to the humiliation that had been meditated for them." To Wolcott he wrote on the 21st.

"I have no objections to calling Knox and Hamilton to the seat of government, provided Knox's precedence is acknowledged. By the rules of the army, and the law of the land, as I understand it, Knox is first, unless by agreement among them it should be otherwise, which probably it will not be."

The circumstances under which the nominations were made, and the understanding with Gen. Washington, were at once most urgently represented to the President, and it was suggested to him to refer the decision of the relative rank to others, but without avail. Mr. Adams, on the 29th of August, replied, disapproving of the Secretary's proposition for settling the question in this way. In his opinion the order of nomination, or recording, had no weight or effect; but officers appointed on the same day, in whatever order, had a right to rank according to antecedent services. He had, he said, made the nominations according to the list presented to him by Gen. Washington, in hopes that the rank might be settled among them by agreement or acquiescence, believing at the same time that the nomination and appointment would give Hamil-

[a] See the letter *infra*.

ton no command at all, nor any rank before any major-general. This was still his opinion. He was willing to settle all decisively at once by dating the commissions, Knox on the first day, Pinckney on the second, and Hamilton on the third. He concluded:

"The power and authority are in the President. I am willing to exert this authority at this moment, and be responsible for the exercise of it. But, if it is to be referred to Gen. Washington, or to mutual and amicable accommodation among the gentlemen themselves, I foresee it will come to me at last, after much altercation and exasperation of passions, and I shall then determine it exactly as I should now—Knox, Pinckney, and Hamilton.

There has been too much intrigue in this business, both with General Washington and me. If I shall ultimately be the dupe of it, I am much mistaken in myself."

In reply to this gratuitous insinuation, the Secretary of War requested information whether, in the mind of the President, these intrigues, if any had been employed, were attached to him. "It will, sir," said he to the President, "be a relief to me to be ascertained of your opinion in this particular, because I flatter myself I can convince you that, abhorring indirect practices, I never even contemplated any, or should you not be convinced, I can immediately retire from a situation which demands a perfect and mutual confidence between the President and the person filling it." The commissions were filled out in the order designated by the President, and transmitted to him. The President in answer approved of the mode of making out the commissions. The imputation contained in his former letter was withdrawn as against the Secretary, he having "no scruple to acknowledge that his conduct through the whole towards him had been candid."

The foregoing circumstances were all communicated to Gen. Washington by Mr. McHenry, on the 19th of September. The Commander-in-chief had before been dissatisfied that some of the other appointments had not

been made in accordance with his suggestions; but on learning the position taken by Mr. Adams with regard to the principal officers of his staff, his determination became at once fixed. On the 16th of September he had written to Mr. McHenry that "he could perceive pretty clearly that the matter was, or very soon would be, brought to the alternative of submitting to the President's forgetfulness of what he considered a compact or condition of acceptance of the appointment, or of returning to him his commission." While the matter stood upon this ground, it was determined to make one more effort to shake the resolution of the President. Mr. McHenry thus alludes to it in the conclusion of his letter to Gen. Washington:

"Conceiving the whole of this business of a very serious nature and intimately connected with the public interest, I communicated the letters from the President to me as they were received, to Mr. Wolcott, Mr. Pickering, and Mr. Stoddert, as also my answers to him. The services of General Hamilton being considered too important and consequential to be easily parted with, it was proposed that they should join in a respectful letter to the President. After, however, a good deal of deliberation, the idea of a joint address was relinquished for a representation from Mr. Wolcott alone, who did not appear to be implicated in his suspicions of intrigue. This has been accordingly drawn up and forwarded. It contains the grounds upon which you were induced to expect your arrangement would be adopted, and reasons resulting from the relative talents of the generals and public opinion."

The following is the letter:

TO THE PRESIDENT.

TRENTON, Sept. 17th, 1798.

The Secretary of War has permitted me to peruse your letters to him dated the 14th and 29th of August; and after much reflection and some hesitation, I have ventured to request him to delay transmitting to you the commissions of the general officers until I could accompany his official despatch with a communication of my sentiments upon the arrangement which appears to be meditated.

Although I am perfectly sensible of the delicate nature of the step which I am about to take, yet when I reflect upon the important consequences which will ensue if any mistake is now made, and especially when I consider how in-

timately the public safety is connected with the honour, personal influence, and character of the chief of our nation, I feel it to be a duty to dismiss reserve and to rely for my justification upon the candour and impartiality with which the President has always listened to opinions arising from pure motives, even when those opinions have been opposed to his own judgment. I am the more emboldened to write with confidence, because I have hitherto expressed no opinion to the President, nor had the least agency, direct or indirect, in the measures which have been adopted relative to the formation of an army. The first intimation which I had of the appointment of General Washington, was from a member of the Senate after the nomination had been made. The act directing the immediate augmentation of the army, originated in Congress while I was absent from the seat of government. There has never yet been to my knowledge any systematical view presented to the President or Congress, of the means which are relied upon for giving effect to the law. The knowledge of the appointments of the general officers was first made known to me in Connecticut. If, therefore, individuals influenced by self-love, have pressed their pretensions with too much zeal, it has happened that I have not been the instrument of promoting their wishes. I do not mention these circumstances as being meritorious; I am sensible that they have been altogether accidental; they will, however, prove, that my mind is as little biassed as possible by preconceived opinions.

I have attentively perused the President's instructions to the Secretary of War, dated the 6th of July, directing him to announce to General Washington his appointment, and to "obtain his advice in the formation of a list of officers," and have at the same time considered General Washington's reply. The President's instructions were unquestionably wise, proper, and adequate to their object, and the Secretary of War assures me that they were in no degree exceeded. General Washington's answer was certainly prudent and respectful; it could not have been expected by him, nor would it have been consistent with the dignity of the President's station to have stipulated to surrender the power of nomination or appointment. In fact, General Washington has never disclosed a wish to interfere with any of the powers constitutionally vested in the President. Nevertheless, I presume it to have been the intention of the President and the expectation of General Washington, that the principal arrangements should be made in concert. This I take for granted, because no argument appears necessary to prove that a perfect concert and mutual confidence must subsist between the President and commanding general; that without such concert everything must go wrong; that not only no army will be raised, but on the contrary, such jealousy, rivalship, and animosity will be produced by the conflicting passions of powerful individuals, as no authority in this country can possibly compose.

The circumstances of the case in respect to General Washington appear, therefore, to be: first, that he was nominated to command the armies without any previous consultation or notice; secondly, that his "advice in the formation of a list of officers" was requested, accompanied with an intimation, that "his opinion on all subjects would have great weight;" then, that General Washington formed a list of officers, and after mature deliberation settled the rank, which, in his judgment, the officers in question ought to enjoy in the proposed army;

fourth, that in the nominations exhibited by the President to the Senate, the order proposed by General Washington respecting those gentlemen was preserved.

The "advice" of General Washington was therefore that Alexander Hamilton should be appointed Inspector General, with the rank of *first* Major General; Charles Cotesworth Pinckney, *second* Major General, and Henry Knox *third* Major General. Whatever may have been the opinion of the President respecting the effect of the order of appointment, the opinion of General Washington and the expectation of the public is, that General Hamilton will be confirmed in the rank second only to the Commander-in-chief.

I am persuaded that no personal considerations, distinct from the public interest, have influenced Gen. Washington; and it is impossible that the public should be governed by any but views of the general welfare, in awarding the second rank to Gen. Hamilton. There does not exist a more sincere friend to Gen. Knox, than the Commander-in-Chief. The preference has been founded solely on public considerations, on a peculiar fitness of character, and on the utility of vesting a high command in the office of Inspector General. Contrary to expectation, Gen. Knox claims the first rank, and in support of his pretensions, refers to a rule adopted in the revolutionary war; by which, according to his statement, rank among officers appointed to the same grade, was to be determined by their respective ranks prior to such new appointment.

No general and unqualified rule, of the kind alluded to by Gen. Knox, is to be found by me in the resolutions of Congress; it is, however, presumed that the regulations prescribed on the 24th of November, 1778, are those to which he refers. A due attention to these regulations will evince that they are wholly inapplicable to the present state of things, and that they contain many exceptions with reference to the army for which they were formed.

The first of these rules, established on the 24th Nov., 1778, is the only one which can, in any degree, support Gen. Knox's pretensions. This merely determines the rank of commissions in the eighty-eight regiments ordered to be raised during the war, by the resolution of Congress of Sept. 16, 1776. Prior to this time, the force of the United States consisted of troops engaged for limited periods; some under the authority of Congress, others under the authority of the respective states. After the permanent army was raised, no commissions were issued to the officers; the power of appointment, except of general officers, being vested in the states. It was impossible that the dates of commissions should be regulated by any general system. The true effect of the rule above referred to, was merely to correct these errors. The rank of officers in the sixteen additional battalions of the new levies of the flying camp and militia; of officers who had been or were prisoners with the enemy; and cases where different rules had been established in the respective states, were expressly excepted from the regulation. It was, moreover, provided that a resignation should preclude any claim of benefit from former rank, under a new appointment. Giving, therefore, the utmost latitude to the rule presumed to be referred to by Gen. Knox, it only proves that in cases of continued service under a commission from Congress, and in respect to appointments made under the same act; and where the rank had not been settled, and no different rule was established by the particular

States, the rank under a former commission should govern. There is clearly nothing in this rule, (which is highly equitable, and perfectly well adapted to the difficulty which it was intended to redress), that can settle the grade of rank between distinct offices, viz: that between the offices of Inspector General and Major General.

But, if it is contended that the office of Inspector General and Major General are of the same degree of dignity; or if the former draws after it no specific rank; and if recourse must be had to the obsolete resolutions of Congress, to settle the relative rank of the gentlemen in question, the most apposite rule which I can discover, will be found in the following resolution of Congress, passed on the 4th day of January, 1776, viz:

"Resolved, that in all elections of officers by Congress, where more than one are elected on the same day, to commands of the same rank, they shall take rank of each other according to their election, and the entry of their names in the minutes, and their commissions shall be numbered, to show their priority."

The principle of this resolution pointedly applies to the present case, having been adopted to settle the relative rank of newly appointed officers for a new army. My opinion, however, is that the resolutions of Congress afford no rule for deciding the question; except [that] as they are reconcileable with the present constitution of the United States, the actual state of the country, and as being founded in reason, they may hereafter be adopted for the government of an army, when actually formed.

The President is now about to form an army, and it is an incontrovertible fact, that before their recent appointment, Henry Knox and Alexander Hamilton possessed no rank whatever; they were private citizens; their just pretensions to appointments were founded solely on their merits, and their new stations were, consequently, to be determined by their comparative qualifications. It would have been as becoming in the candidates, and certainly less embarrassing to the President, if all had submitted in silence to the President's determination, after consultation with General Washington. Superlative disinterestedness is, however, rare; what has happened in this case, will eternally happen; there is not one man even, of real merit and virtue, among a thousand, whose estimate of himself does not exceed that of his acquaintance. If Gen. Hamilton thinks the second rank his due, so does Gen. Knox in respect to himself; Gen. Hamilton's pretensions are, however, seconded by the wishes of Gen. Washington, and by the opinion of a vast majority of the wisest and most efficient supporters of the government, in every part of the United States; the political enemies of both gentlemen are the same, but while they respect and confide in the great talents of the former, they estimate the abilities of the latter by a different scale. The opinion of Gen. Washington being in favour of Gen. Hamilton; the public voice having awarded the second rank to him, in consequence of his merits, and the supposed effect of the act of the President himself; it being certain to my mind that Gen. Knox will not accept an appointment with rank inferior to Generals Hamilton and Pinckney, and it being equally certain that Hamilton will not renounce the station in which he supposes himself properly placed, but rather decline the service, the interesting question arises, what is to be done?

Taking it for granted that Gen. Knox or Gen. Hamilton will decline service, it is necessary to consider maturely the consequences of a decision against either of these gentlemen. The mere question of *rank*, so far as it is a personal question, ought to be entirely out of view, for, surely the public interest ought not to yield to the ambition or vanity of either of the gentlemen. Their relative rank is important only in relation to the duties of their offices, and as it may affect the continuance of one of them in service. The office of Gen. Hamilton is that of Inspector General, as well as Major General; that of Gen. Knox, only Major General.

I am no soldier, and no judge of military questions, except so far as they are capable of being tested by principles of common sense. There are, I presume, some special duties annexed to the office of Inspector General, distinct from those of a Major General; and I also presume, that it is important that the former should have an elevated rank, to secure the full effect of his arrangements. The law only determines that the Inspector General shall enjoy the rank of Major General; the official grade being the same, personal rank must, therefore, depend on the pleasure or determination of the President, on a full consideration of all the circumstances which must influence his decision.

Gen. Washington has clearly expressed his wish, or rather "advice," on this point, and by a letter of his to Gen. Hamilton, which I learn from the Secretary of War, was by him submitted to the President's perusal, but which doubtless has escaped his recollection. I find Gen. Washington *relies* upon the efficient aid of Gen. Hamilton. By the same letter it appears further, that the only difficulty in his mind arose (and that very much from local considerations) on the relative rank of Generals Hamilton and Pinckney; and that with a knowledge of all the gentlemen, and with the most intimate acquaintance with Hamilton and Knox, General Washington has deliberately and explicitly arranged the last below the other two. These are his words, "with respect to my friend, General Knox, whom I love and esteem, I have ranked him below you both." Considering all the circumstances of Gen. Washington's services and retirement, it was certainly a serious question for him to determine whether he should again encounter the perils of public life. Having consented, it will be expected by all dispassionate men, that his reasonable wishes should be consulted. And what is the present question? Merely whether Gen. Hamilton shall or shall not precede Gen. Knox in command? If the question is important to one of the gentlemen, it is equally to the other. If the services of both cannot be retained, ought not Gen. Washington's deliberate advice, seeing it has been asked, to influence the final decision?

But the President's letter to the Secretary of War, dated the 14th August, contains the idea that the five New England States will not rest satisfied, unless Gen. Knox is allowed the second rank. The President will, I hope, pardon an observation which is extorted from me by the declaration of this sentiment. It is, that the elevated station which you justly hold, is attended with some peculiar infelicities, among which that of remaining uninformed or being misinformed respecting some things which are commonly known in subordinate spheres, is not the least unfortunate. I can assure the President, that Gen. Knox has no popu-

lar character, even in Massachusetts; that in the other states his influence is a mere nullity. I do not know one public character of eminence of the age, whose active services must support the war into which we are entering, who estimates Gen. Knox according to my opinion of his real merits; and his character, such as it is, has been supported by the supposed patronage of Gen. Washington. The people of New England will not be flattered with the idea of being personified in Gen. Knox; the numbers who are willing that the fame of New England should be at his disposal, is indeed small. I am, however, sensible that some inconveniences will ensue if Gen. Knox should decline the service, and sincerely regret that they cannot be avoided. If, however, he should decline, though some of his particular friends, whom it is desirable not to offend, may murmur, yet the public will not justify their complaints. Besides, his conduct will not be consistent with his own professions. In a letter to the President, now on the files of the war office, dated June 26th, is the following passage: "Whoever you should please to appoint, as the immediate commanding officer of the provincial army, you will, I am persuaded, contemplate Gen. Washington as the efficient Commander-in-Chief. After saying so much, I should lose all self respect, were I not to say that, if there be any service to which my humble abilities should be judged equal, that I should faithfully and ardently endeavour to execute it; believing, as I do, that the occasion will demand the labours of all the friends of the country, to defend its rights against the all-devouring rapacity of the French rulers." After such a declaration, could it be imagined that Gen. Knox was merely willing to be second in command under Gen. Washington?

The result of my reflections on this point is, that what has been done ought not to be changed, and that the least evil will be to suffer Gen. Knox to decline service, if that is his intention. But if he is allowed the rank he claims, and Gen. Hamilton declines, contrary to what, in my opinion, is his duty, the evil will not end with the wound to General Washington's feelings, nor with the public disappointment. There will be, really, no character high in rank, accustomed to that close attention, and possessed of that various information of the resources of the country, and skilled in the formation of those systematical arrangements which the state of our country indispensably requires. If all requisite qualifications cannot be found united in one person, perhaps some, which are not considered as appropriate to the character of a general, are most necessary; for, without good economical regulations in every department of the service, millions will be expended, and we shall, nevertheless, be unable to maintain an adequate army in the field, even for a short period.

Besides, all the President's acts must be founded on, and be consistent with some principle; and if one officer is allowed to claim rank with reference to services in the last war, all will expect the same privilege. If the principle is allowed in some instances, and not allowed in others, the conduct of the President will be considered as arbitrary, and directed by personal favour. If former rank is allowed to govern in all cases, General Hand must precede Generals Pinckney and Lee, and Brigadier General Dayton must yield to Brig. Gen. White; besides, in your appointments, it will be utterly impossible to make a distribution of the officers of the late army according to their real merits.

I will close this long letter by observing, that whatever judgment the President may form, I rely with entire confidence, that he will do justice to the motives which have induced me to use this degree of freedom. I have the honour to be, &c.

TO ALEXANDER HAMILTON.

TRENTON, Sept. 19, 1798.

* * * *

I am acquainted with the state of a delicate question in which you personally, but the government and country are more interested. Measures have been taken to bring all right, if the thing be practicable. The present embarrassment might, I am persuaded, have been entirely avoided, and I do not despair of having it corrected. As a friend to your fame and the interests of the country, I request you to say nothing, and do nothing, until you hear from me, which will be in ten days or a fortnight hence.

On the 25th of September, Washington himself wrote to the President, "that he might know at once and precisely what he had to expect." The letter recited the facts which have been already mentioned, of the stipulations he had made, and the understanding held out by the President, that they were admitted. He concluded,

"I would now respectfully ask, in what manner these stipulations on my part have been complied with?

In the arrangement made by me with the Secretary of War, the three major generals stood, Hamilton, Pinckney, Knox; and in this order I expected their commissions would be dated. This I conceive must have been the understanding of the Senate, and certainly was the expectation of all those with whom I have conversed. But you have been pleased to order the last to be first, and the first to be last. Of four brigadiers for the provisional army—one whom I never heard of as a military character, has been nominated and appointed; and another is so well known to all those who served with him in the revolution, as for the appointment to have given the greatest disgust, and will be the means of preventing more valuable officers of that army from coming forward. One adjutant general has been, and another is ready to be appointed, in case of the non-acceptance of Mr. North, not only without any consultation with me, but without the least intimation of the intention; although in the letter I had the honour to write you on the 4th of July, in acknowledgement of your favour of the 22d of June preceding, and still more strongly in one of the same date to the Secretary of War, which, while here, his clerk was, I know, directed to lay be-

fore you, I endeavoured to show in a strong point of view, how important it was that this officer, besides his other qualifications, should be agreeable to the commander-in-chief, and possess his *entire* confidence."

The motives which had led him to impose these conditions of acceptance were likewise explained, as well as his reasons for the preferences he had manifested for the respective officers, and his views of the nature of the expected war. He concluded by requesting to be informed whether Mr. Adams' "determination to reverse the order of the three major generals was final, and whether he meant to appoint another adjutant general without his concurrence."

It is supposed that Wolcott's letter had produced some effect on the President's mind, as, on the 9th of October, he wrote as follows to Gen. Washington.

"I received yesterday, the letter you did me the honour to write on the 25th of September.

You request to be informed whether my determination to reverse the order of the three major generals is final; and whether I mean to appoint another adjutant general without your concurrence. I presume that before this day, you have received information from the Secretary of War, that I some time ago signed the three commissions, and dated them on the same day, in hopes similar to yours, that an amicable adjustment or acquiescence, might take place among the gentlemen themselves. But if these hopes shall be disappointed, and controversies shall arise, they will of course be submitted to you as commander-in-chief; and if after all, any one should be so obstinate as to appeal to me from the judgment of the commander-in-chief, *I was determined to confirm that judgment*. Because, whatever construction may be put upon the resolutions of the ancient Congress, which have been applied to this case, and whether they are at all applicable to it or not, there is no doubt to be made, that by the present Constitution of the United States, the President has the authority to determine the rank of officers.

I have been some time prepared in my own mind, to nominate Mr. Dayton to be adjutant general in case of the refusal of Mr. North. Several others have occurred, and been suggested to me, but none who in point of science or literature, political and military merit, or energy of character, appears to be equal to him. I have no exclusive attachment for him or any other. If you have any other in contemplation, I pray you to mention him to the Secretary of War, who may fill up his commission immediately, in case Mr. North declines."

TO ALEXANDER HAMILTON.

TRENTON, October 10th, 1798.

At the close of the last week, or on Monday of this, a letter was received by the Secretary of War, from the President, covering the commissions of the Major Generals, dated *on one day*. This circumstance taken in connexion with others which preceded, fully justify an opinion, that the rank may be considered as settled in the order in which the appointments were made. Of course, that you are established in the rank of first Major General. I supposed till yesterday, that the commissions had been issued by Mr. McHenry with an official letter settling the grade. I find, however, that our friend McHenry still hesitates. I will, however, prevail on him to do his duty, if I can. In the mean time, permit me to say to you with confidence, that the affair which has caused so much doubt, delay and perplexity, ought not in justice, to be attributed entirely to the President. I will admit that he has been, in my opinion, greatly mistaken. The affair was, however, unfortunately managed, and General Washington and the President have not been understood by each other. The question of rank being settled, I sincerely hope that General Knox will decline service. His pecuniary affairs are I believe so embarrassed, that there is no prospect of his preserving his independence; and I much fear that the fortune of modern speculators, some loss of character, awaits him.

As a friend to your fame, and the public interest, I cannot omit to request, that no conversation may take place respecting the question of rank. Even your personal feelings will be much alleviated, by such an explanation as I will give you, when we have the fortune to meet.

In the next place, let me request that as little may be done as possible, relative to the organization of the army, before there can be a deliberate consultation upon the state of our affairs. Depend upon it, that the arrangements of the War Department are all defective, and that nothing will succeed without a thorough reform. Besides, do not countenance the plan for making appointments in the great sections of our country, on the recommendations of individual officers. Though you may feel confidence in your own judgment, yet, it will be well to remember that the same power will be exercised by others who may not be equally well informed.

FROM THE SECRETARY OF WAR.

October 13, 1798.

The Secretary for the Department of War has the honour to submit the following letters to and from the President of the United States, and Generals Washington, Hamilton, and Knox, from Nos. 1 to 13 inclusive, to the Secretary of State, the Secretary of the Treasury, and the Secretary of the Navy, and to request their attentive consideration of the same:

No. 1. The Secretary's letter to Generals Hamilton and Knox, notifying them of their appointment, dated the 25th of July, 1798.

No. 2. The Secretary's letter to the President, dated the 4th of August.

No. 3. A letter from General Knox to the Secretary, dated the 5th of August.

No. 4. The President's letter to the Secretary, dated the 14th of August.

No. 5. The Secretary's letter to the President, dated the 22d of August.

No. 6. The Secretary's letter to General Knox, dated the 22d of August.

No. 7. The President's letter to the Secretary, dated the 29th of August.

No. 8. The Secretary's letter to the President, dated the 6th of September.

No. 9. The President's letter to the Secretary, dated the 13th of September.

No. 10. The Secretary's letter to the President, dated the 18th of September.

No. 11. The Secretary's letter to the President, dated the 21st of September.

No. 12. General Washington's letter to the Secretary, dated the 16th of September.

No. 13. The President's letter to the Secretary, dated the 30th of September.

The purpose of submitting these letters, is to obtain the sentiments of the gentlemen to whom they are submitted, relative to certain questions arising out of and necessary to be solved by the contents of the letters.

1st. Whether from the tenor of the letters collectively, and particularly from the President's last letter (No. 13) including the commissions for the Major Generals of the army of the United States, all dated on the same day, it ought to be concluded that the President acquiesces in the settlement of the relative rank of the Major Generals upon the principle of, and agreeably to the order of their nomination and approbation by the Senate. If answered in the affirmative, then,

2d. Whether the Secretary of War should immediately transmit their commissions to the Major Generals, and inform them respectively that their relative rank is considered as definitively settled, by the order of nomination and approbation aforesaid, or,

3d. Whether the transmission of the commissions and the communications aforesaid, ought not to be previously transmitted to the President.

4th. Whether, if the Secretaries shall collectively agree in their answers to the above questions, it will not be proper for the Secretary of War to communicate to the President, a copy of the questions now proposed, and the answers thereto, as inducing to the opinion he entertains of the President's will and the conduct he has pursued.

With the greatest respect I have the honour to be, gentlemen, your most obedient and very humble servant,

JAMES McHENRY.

TO THE SECRETARY OF WAR.

TRENTON, October 13th, 1798.

The undersigned Secretary of State, Secretary of the Treasury, and Secretary of the Navy, have considered the questions upon which the Secretary of War has requested their opinions in his note, dated the 12th of October, 1798, and submit the following observations to his consideration:

It appears that the President of the United States, by a letter dated the 6th day of July, 1798, directed the Secretary of War to proceed to Mount Vernon, and announce to General Washington his appointment to be the Commander-in-Chief of the new army, and to obtain his advice in the formation of a list of officers; that General Washington accepted of the commission, upon two conditions, one of which was, that the principal officers should be persons whom he should approve; that he advised the appointment of Alexander Hamilton to be Inspector General, with the rank of Major General, and of Charles Cotesworth Pinckney, and Henry Knox to be Major Generals; that this arrangement was approved by the President, at least, in respect to the characters designated; that in the nominations to the Senate, and in the advice and consent of that body, the arrangement proposed by General Washington was pursued; that since the appointments have been made the President has doubted the propriety of the arrangement in respect to the relative rank of the three generals, before named; that in his letter of August 29th to the Secretary of War, the President expressed his willingness to decide the question of rank by dating General Knox's commission on the first day, General Pinckney's on the second, and General Hamilton's on the third; that the Secretary of War transmitted to the President on the 18th of September the three commissions, dated according to the foregoing suggestion, and that on the 30th of September they were returned by the President, executed by him, and all dated on the same day.

The only inference which we can draw from the facts before stated, is, that the President consents to the arrangement of rank as proposed by General Washington and pursued in the order of nomination and appointment by the President and Senate.

This being the conclusion which we make, it is our opinion that the Secretary of War ought to transmit the commissions, and inform the generals that in his opinion the rank is definitively settled according to the original arrangement.

We are of opinion that it will not be respectful to the President to address him again on a subject which appears to have been attended with difficulties in his mind, and the discussion of which can produce no public advantage. We also think that no communication of our sentiments will be necessary, unless the Secretary of War shall discover hereafter that we have mistaken the President's intentions, in which case it will be proper that we should share in the censure. We are respectfully your obedient serv'ts,

TIMOTHY PICKERING,
OLIVER WOLCOTT,
BEN. STODDERT.

Mr. McHenry, upon this, decided to transmit the commissions to Generals Hamilton and Knox, informing them that he considered the nomination and approval by the Senate as determining their relative rank. They were at the same time called into actual service. Gen. Knox, in

accordance with his previously announced determination, declined his appointment. Gen. Pinckney arrived at New York in the beginning of October. On the last of the same month he wrote to the Secretary of War, accepting the office of second Major General, concerning which, he observed he had never entertained any hesitation. He further stated, that if Gen. Knox also was placed before him, it would not be to him a source of dissatisfaction.

Notwithstanding the opinion that Wolcott expresses in his letter to Hamilton, that the President was to be exonerated from blame in this unfortunate affair, more complete knowledge of its circumstances and the subsequent conduct of Mr. Adams, gave strong reason to believe that his opposition to Gen. Washington's arrangement did not altogether result from tenacity of what he considered military order. He showed no reluctance to break through that rule in the appointment of other officers, (including his son-in-law) at the very moment when he so rigorously insisted on it in the case of the major generals. The truth was, that Mr. Adams' hatred of Hamilton was the cause of his resistance, and that dread of the consequences of Washington's resignation, alone forced him to sacrifice resentment to policy—a concession for which he afterwards indemnified himself. The course of the Secretaries was treasured up against them in Mr. Adams' mind, and with other offences, was finally chastised by the dismissal of two and the abuse of all.

The pestilence which had for some years scourged the principal cities of the seaboard, again appeared during this summer, accompanied with its further afflictions of distresses among the poor. A letter from the President to Wolcott, written in September, contains this honorable

quest, that he would contribute on his behalf to their leviation. "The distress of the poor at Philadelphia so great, that I pray you to subscribe and pay for me, ıder the title of a friend, and to let nobody know but ıurself from whom it comes, five hundred dollars."

FROM CHAUNCEY GOODRICH.

HARTFORD, Aug. 12, 1798.

r Dear Sir,

On Friday morning Mrs. Wolcott was as well as ordinarily she had been, ce her arrival. Our friends consider her as amending. No other evil besets but the indolence of the intense weather. In addition to that, of itself, ɔugh to suspend all action, you have again the city's old enemy, the fever or gue; and if we may believe accounts, of the most malignant kind. I hope a have left the city.

We have not made up our minds as to European news; it looks as if soon should have one of those ship loads of political information that come out o or three times only in a year. Mind our own business is our motto; take re of our own Jacobins. Here the converts are nestling for office. Some of r friends suspect a concert to get as many as they can into the army. Be it as it may, every one of them ought to be rejected, and men only of fair pro-rty employed in the higher and most confidential grades.

How will the Philadelphia election go? What says Gerry? Is he out of his ɔdicament? What are the southern democrats about? Are they attempting get the Virginia assembly together? I see the city member of Maryland is iting his book; unlucky omen. Send Harper's pamphlet if you can conveni-tly. It is said men will enlist here, if good officers should be appointed; the vice depends on it. Mary Anne sends her love. Yours affectionately,

CHAUNCEY GOODRICH.

TO THE PRESIDENT.

PHILA., Aug. 13, 1798.

I was unfortunate in not having the honour of paying my respects to you on r return from Connecticut. I arrived at New York by water, the day you t the city. Mrs. Wolcott has gained strength, but as she is not free from du-ıus symptoms, I feel extreme concern respecting her situation. Since my ırn I have been engaged in a scene of various and pressing business; that rt which relates to my office, has been for the most part accomplished; the de-ıtches for the commissioners for making valuations of houses and lands, are npleted and will be sent by the next mails.

The sickness has alarmed the citizens very generally; in a few days, business ll be at an end, and the melancholy scenes of 1793 and 1797, in all probabil-

ity renewed. Preparations are making for removing the public offices to Trenton. It is by no means the least distressing idea which this sickness presents, that the measures for executing the acts of the last session will be considerably delayed and enfeebled. The Secretary of War has been confined, but is now so well as to attend his office. In my opinion he has more affairs on hand than he can attend to. The idea has been suggested of calling on Generals Knox and Hamilton, to come forward to the seat of government. This measure would doubtless give greater activity to the department.

* * * *

FROM ALEXANDER HAMILTON.

NEW YORK, August 22, 1798.

My Dear Sir,

No one knows better than yourself how difficult and oppressive is the collection, even of taxes very moderate in their amount, if there be a defective circulation. According to all the phenomena which fall under my notice, this is one case in the interior parts of the country.

Again, individual capitals, and consequently the facility of direct loans is not very extensive in the United States. The banks can only go a certain length, and consequently must not be forced. The government will stand in need of large anticipations.

For these and other reasons, which I have thought well of, I have come to a conclusion, that our treasury ought to raise up a circulation of its own. I mean by the issuing of treasury notes payable, some on demand, others at different periods, from very short to pretty considerable; at first having but little time to run.

This appears to me an expedient equally necessary to keep the circulation full, and to facilitate the anticipations which government will certainly need. By beginning early the public eye will be familiarized, and as emergencies press, it will be easy to enlarge without hazard to credit.

Think well of this suggestion, and do not discard it without perceiving well a better substitute. Adieu, yours,

A. HAMILTON.

TO MRS. WOLCOTT.

TRENTON, Sept. 11, 1798.

* * * Mrs. Fenno is dead, and Mr. Fenno at the point of death. A helpless family of ten children are thus thrown upon the world with but scanty means of support. The accounts from the city become more and more dreadful. I perceive no resource but to build temporary huts on the common, and leave the city entirely. I am entirely well, and so are all the public officers and their families. Mr. and Mrs. Hopkinson are at Bordentown. Mr. H. has been here and says the family are well.

* * * *

I will write to S., but I cannot with propriety recommend him for a commission in the army. It would bring me into a sad scrape, and it would not in my opinion be proper, that he should *command*, who knows nothing of the obligations of *obedience*.

FROM STEPHEN HIGGINSON.

BOSTON, September 11, 1798.

Sir,

* * * *

I fear by the accounts we have from Europe, that we shall be cursed with the intrigues of a new French agent, under the patronage of Mr. Gerry, who seems to have been under the influence of an evil spirit ever since he arrived in Europe. Those of us who knew him, regretted his appointment, and expected mischief from it; but he has conducted worse than we had anticipated. Should a commissioner come with him, which I expect, I hope the President will forbid him any residence in our country, and that Gerry will be pushed into the shade with a strong arm, immediately on his arrival. If this be not done, much trouble and embarrassment will result, for Gerry will certainly resort to caballing with the faction. He will be courted by the Jacobins, and will devote himself to their cause in his own defence. I am, respectfully, sir, your humble servant,

STEPHEN HIGGINSON.

TO THE PRESIDENT.

TRENTON, September 14, 1798.

I have the honour to enclose a report on the proposals of Henry Dearborn for erecting two lighthouses in North Carolina.

The distresses in the city increase; attempts are making to draw all the people possible from the scene of danger. About fifteen hundred of the most indigent are encamped on the common; another camp for such as are able to support themselves is forming, which may contain about two thousand persons. About fifty orphans have been received by the managers of the alms house. Fenno has been reported to be dead; but I understand there are hopes of his recovery. The cashier and several of the clerks of the bank are sick. The disorder has appeared at Fort Mifflin among the soldiery. It is violent at Wilmington, and has carried off two of the inspectors of the revenue. I have given permission to remove the Custom House to Newcastle, or Port Penn, as the collector shall judge best. This place is healthy, and I know of nothing respecting the treasury department, which requires to be mentioned to the President.

FROM JOHN HOPKINS.

RICHMOND, Sept. 14, 1798.

Dear Sir,

General Marshall is a declared candidate for this district, at present represented by John Clopton, and no doubt is entertained of the success of his election. B. Washington, Esq., is also a candidate for the district represented by Dr. Jones, and his election is very certain, unless he should accept the appointment of a Judge, which it is expected will be offered him. Many new candidates appear in different parts of the State, in place of some who decline, and in opposition to others who continue to offer themselves, and it is believed there will be a very general change in the representation; one fact you may rely upon—it will be better for talents, virtue and federalism, than heretofore; worse in all other particulars it cannot well be, but the acquisition of Marshall and Washington are points of magnitude and importance. French principles are very much out of fashion, and but for the alien and sedition laws, as the latter is called, at which certain characters make a loud clamour, the opposition would, I believe, not know at what to raise bugbears to frighten the ignorant and credulous part of society. This opposition is certainly much lessened and silenced; still the leaders are indefatigable, are more industrious and violent as their party lessen and lose ground. I mention these facts, because I am sure it will afford you pleasure; and I look forward with pleasing anticipation to the period when a majority of the representatives of Virginia will be found equal, if not foremost, in the support of measures which are calculated to promote the interests and protect the honor of a "great, free, powerful, and independent nation." With sincere regard, I remain, dear sir, your most obedient servant, JN. HOPKINS.

TO MRS. WOLCOTT.

TRENTON, Sept. 25, 1798.

* * * *

I remain well, and this place continues healthy. The people in our neighbourhood have either removed out of town, or to the tents, or have died.

The bank of the United States is removed to Germantown, after having lost several of their people. Mr. Kuhl, I learn with much concern, is very ill in the bank house at Germantown, having been taken sick there immediately after coming from Philadelphia. He is one of the best men I have ever known. All the towns and villages below Philadelphia, on the Delaware, are ravaged, except Newcastle, and as the custom house has been removed there from Wilmington, I fear that the disorder will be extended to that place. There have been a few deaths at Burlington, Bristol, and lately at Lamberton, in consequence of the intercourse with Philadelphia. Mr. Andrew Graydon, principal clerk to the treasury, a very worthy, sensible man, died yesterday at Lamberton. It is fortunate that no sickness has appeared at this place. I pray God, it may so continue. You hear, I presume, from New York every thing that is known here respecting that

city. It is now but three days later in the season than when I left Philadelphia in 1793, and it is not certain that the disorder will not appear in some new places.

FROM GEORGE CABOT.

BROOKLINE, Oct. [illegible] 1798.

(Private.)

My Dear Sir,

I have just written to Mr. Pinckney a short letter, in which I have suggested a method by which all embarrassments resulting from the question of rank may possibly be prevented. Gen. Knox has said that he could acquiesce in the arrangement made, if Gen. Pinckney could. Now as I am satisfied the arrangement is in all respects proper, I presume Pinckney will not countenance the objection made by Knox, and therefore, even if Pinckney for other reasons should decline the service, he may so manage as to dissipate the doubts excited by Knox's friends.

We are all solicitous to see what course Gerry intends to steer, that we may shape our own accordingly. The gross impropriety and folly of his conduct in France, makes it difficult for him to act a right part here, even if he is well disposed. He has divided the obligation, as if to show that it represented a divided country; he has held secret conferences with the French government, to which his colleagues had a right to be privy, and his engagement that they should not, was contrary to his duty; he has acted conformably to the French maxim, that there might be an adjustment of differences, and an establishment of fraternity with us, by sacrificing our government, and disavowing the principles and policy of its administration. It would seem, therefore, that he must say now that peace and safety were attainable, if our government had not prevented it by precipitating measures of hostility. I hope, however, he will say nothing of this kind, and it is said his language is approbatory of the administration. A few days more will disclose to us his determination. I wish the President knew precisely how Gerry is and will be received by the friends of government, but your own recollection of what passed at your table, must suggest the delicacy I feel towards him on this account. You cannot have forgotten the warmth with which I insisted on his unfitness for all great affairs. The experience which has been had of the justness of my opinion, would make a recognition of it extremely painful. It is unfortunate that Congress did not declare war; the danger of French artifice would have been less. It is impossible to make the people feel or see distinctly that we have much more to fear from peace than war; that peace cannot be real, and only leaves open a door by which the enemy enters, and that war would shut him out; that the French are wolves in sheep's clothing, entreating to be received as friends, that they may be enabled to destroy and devour. But war, open and declared, would not only deprive our external enemy of his best hopes, but would also extinguish the hopes of internal foes. The rights and duties of every citizen in a state of war, would be known and regarded; traitors and sedition-mongers who are now protected and tolerated,

would then be easily restrained or published. I hope, therefore, we shall not long persist in pacific war, with one part of our citizens against us, and another part neutral. At this moment it appears to me every thing depends on the approaching elections. If they issue favourably, the hands of the country need be bound no longer, and in that case, I think, the Executive can do every thing; for if the present Congress at the next session refuses to do any thing which national safety requires, the Executive ought to summon the new Congress on the 5th of March, and ought to say that the new elected representative body just constituted by the people, must be well qualified to declare their will; and as from the numerous addresses from every part of the Union, the people seem to be strongly impressed with the reality of the dangers of the country, they ought to have the earliest opportunity of taking such measures as they think indispensable to the security of the United States, and which have not appeared so to one branch of the present legislature. A proclamation well formed on this principle, addressed to the new House, would give them a strong and right impulse, and I have no doubt would be strengthened by the spirit of the people. The new Congress, meeting under such impressions, would act with vigour and decision, and we should no longer doubt whether our representatives were Frenchmen or Americans. Farewell. G. CABOT.

FROM GEORGE CABOT.

(Confidential.)

BROOKLINE, Oct. 16, 1798.

Dear Sir,

Every day brings some new proof of the necessity there is for some person to inform the President of the danger to which he exposes the government and himself, by attempting to vindicate Mr. G. at the expense of his colleagues. I have just been canvassing this subject with Mr. Higginson and Mr. Sewall at Boston. We are all aware of the schisms among the friends of the government which may be apprehended, and we concluded to urge Otis to make a visit to Quincy for the purpose of communicating freely to the President what passes abroad on this subject, and how much his *frankness* exposes him and his friends. Sewall offers to accompany Otis if required; but his known dislike of Gerry makes it best that he should not be a principal. You recollect enough of what passed at your own table to perceive that *I* am disqualified to speak of Mr. G. to the President. But, my dear sir, must there not be something more done? must it not become a maxim, never to be violated, that the President shall be always accompanied by those whom he has selected to assist him in carrying on the executive government? If at any time he is absent for the benefit of relaxation, let it be adhered to that he does no business and gives no opinions. If some system like this is not established there will be no order nor consistency in our affairs. It is a delicate thing to say all this in plain terms; but it is so fit and proper, indeed, so indispensable to the public, and to the ease as well as honor of the President, that you must cause it to be well understood.

We are grieved to see the Maryland elections turn out so ill. The spirit of

French democracy is as active as it is wicked, and thus becomes more than a match for every other sort of spirit. We had been flattering ourselves that in this state we should have no more Jacobin votes after the present Congress, but Isaac Parker will decline and be succeeded by Dearborn. Varnum is more likely to be chosen than not, and Freeman may be elected merely because no good Federalist will consent to be a candidate in his district.

G. C.

FROM JAMES WATSON.

New York, Nov. 25, 1798.

Dear Sir,

* * * *

Inclosed is a letter from Mr. Barlow, at least I take it to be his handwriting, and it is the only one I ever received signed only with an initial. Make such use of it as you please, for although there are few men whom I have loved so much, there are few whose present conduct I detest more. I prefer not to have my name in a public newspaper, but if ever a valuable purpose is to be answered by it, it shall not be refused. I have no doubt that every part of the United States is furnished with addresses of this sort; and what is much worse, that a host of spies are employed to circulate them and report their effect. Of this number I believe ——— to be one, who has lately passed through the interior of this state in a garb which indicated some design upon the posteriors of society; and his conversation, as it is reported to me, favours this suspicion. On Monday next I hope to take you by the hand. In the mean time I am, with great affection and respect, your humble servant,

JAMES WATSON.

N. B. In self-defence, I enclose, for your sight only, a copy of my answer.

JOEL BARLOW TO JAMES WATSON.

Paris, 26 July, 1798.

Dear Sir,

We have seen the acts of the American government as late as the 3d June. They did not produce so great a sensation here as might have been expected. The only measure of precaution taken in consequence has been an embargo on American ships, contemplating an indemnity in case of accommodation.

The wishes of this government are unequivocal for avoiding a war between the two republics. You will see in the communications to be made by Mr. Gerry (if they should come to your knowledge) the way in which a negotiation may be set on foot, of which the preliminaries must be satisfactory to the United States, if they wish for peace. The following are officially declared:—1st. The Directory is ready to name a minister to treat with any that shall be named on the part of the United States. 2d. All claims for loans of money, and all apologies for offensive speeches made by the Executive on either part, are laid aside. 3d. All piracies and illegal depredations on American property are disavowed

by the Directory, who have ordered all commissions given to privateers in the West Indies to be withdrawn, and new commissions to be issued, in which the proprietors and commanders of privateers are to be restricted, under bonds, to the legal objects of capture.

I am assured this day that the embargo above mentioned will soon be taken off. I am confident that this government contemplates a full indemnity for illegal captures, to be determined by commissioners, &c.

This is considered here by all parties as a more pacific overture than was expected, after the irritations that have been offered on both sides. It is retreating to an open ground that is quite unsuspicious. A refusal on your part to meet on this ground, would be considered as a declaration of war, and it would be a war of the most terrible and vindictive kind.

The negotiations at Rastadt are drawing to a pacific close. Any treaty that your executive may be contemplating with England, offensive and defensive, would doubtless be of short duration. England will make peace on the first overture of the Directory, in violation of any engagement that may stand in its way. The ocean will then be left free for the transportation of French troops, and the two republics left to execute the project of the British cabinet, and to disgrace the principles of both their revolutions. Adieu.

J. B.

JAMES WATSON TO JOEL BARLOW.

HUDSON, October 26th, 1798.

Sir,

Your favour of July 26th found me at this place. The communications by Mr. Gerry are not yet public. I will confine myself, therefore, to the overtures contained in your letter, and which are said to be officially declared. How far they will prove acceptable to the government is not for me to conjecture. I shall only express such sentiments respecting them as, in my opinion, will be generally entertained by the people of this country.

They have never supposed that it was the object of the French government to make war upon them in form. The system of piracy and plunder which it has adopted and legalized, is too favourable to be willingly exchanged for hostilities. It doubtless wishes to perpetuate a state of things by which it gains much and risks nothing. To this end it has nearly exhausted its insidious manœuvres, and now threatens to resort to its terrors. You know perfectly well the structure of our government, and that it is impossible that its executive should be long at variance with the wishes of the people, On this subject they harmonize, and are alike anxious for the preservation of peace. But it must be a fair and honourable peace, not one that invites French anarchists to intermeddle in our elections, to debauch our citizens, and to vilify our government, not one which exposes us to French insults and rapacity at home and abroad, and exhibits us to the world, in the persons of our envoys, as a spectacle for derision. Perceiving that we were recovering from our preposterous predilection for France, that the artifices practiced against us were not sufficiently refined; the Directory condescends to spread

new snares for our entanglement. "It is ready to name a minister to treat with any that may be named on the part of the United States!" It has not actually named a minister. It has not proposed a meeting upon mutual grounds, but it is ready, when the United States have named and sent to Paris a minister, to name one to treat with him! If it were not indispensable to our national existence that we should be cured of that idolatry to France of which we were guilty in the early stages of our revolution, it would seem a pity that the Directory was not ready to name a minister until it had rejected our ambassador and exhausted the powers of contempt upon our messengers of peace. Having done this, does it expect another messenger at its feet before it names one to treat with him. Surely the insolence of the Directory must be wholly as unaccountable as our forbearance, or it would never have thought of such an overture; an overture which, for matter and manner, must excite towards France a more lasting resentment than all her outrages upon our persons and property. But admit, for a moment, that our Executive, forgetful of all the respect which is due to itself and its country, should name a minister for that disgraceful purpose, I pray you so far to respect your native land as to believe that there is not on the face of it a single man of talents, integrity, and spirit, who would accept the trust. We have indeed our share of knaves and fools, and it seems to be the determination of France to accept none else from us in the character of ministers; and until she manifests a change of mind in that respect, I hope and believe that we shall send none at all.

2d. "All claims for loans of money, and all apologies for offensive speeches by the Executive, on either part are laid aside."

The United States have made no claims for loans of money, they have required no apologies for offensive speeches; it is past my discernment, therefore, to see how on our part they can be laid aside. The Directory has done both, and it is not enough that it consents at home to lay them aside. It ought to send some apology to the government of this country for having causelessly made them. These claims are offences against our sovereignty, which has been established in defiance of *one nation*, and all the arts that have been dishonestly practised upon us have not prepared us to abandon it to *another*. I feel nothing of the spirit of criticism, but *claims* for *loans* of money is a mode of borrowing not known in the United States; it seems to have been reserved for France to exemplify. By it, she has possessed herself of a great proportion of the property of all the states and all the individuals with whom she has fraternized. She has extended it to pictures, statues, and curiosities. Neutrals have not been spared, and I wish, for the honour of humanity, that a worse pretext were not necessary for the contributions she has raised upon the citizens of these states, and which surpass in value the whole navy of France.

Nevertheless, it has been said that some Americans in Paris have shown by calculation, that to pay the gratuity of fifty thousand sterling and the loan of thirty millions of florins would be *cheaper* than a war. This, at best, is but a renegade arithmetic, something worse than is used when a man sets a price upon his integrity or a virgin upon her chastity; in those cases the wages of infamy are expected to be received, but in the other the price is paid and the infamy ac-

quired by the same party. It has often been said that gudgeons would bite at naked hooks, but perhaps it was never before expected that they should furnish the hooks with which they were to be taken.

3d. "All piracies and illegal depredations of American property are disavowed by the Directory, who has ordered all commissions given to privateers in the West Indies to be withdrawn, and new commissions to be issued, in which the owners and commanders of privateers are to be restricted under bonds to the legal objects of capture."

This overture admits that piracies and illegal depredations of American property have been made. The Directory disavows them, but it says nothing of bringing those pirates and depredators to account; it provides no punishment for them; it proposes no indemnity to those who have suffered by them. If such an indemnity had been seriously contemplated, as you are confident is the case, what time or what occasion could be so proper to avow it, as the one when the wrongs are "disavowed?" This would have given the countenance of sincerity to the whole proceeding; it would have been retreating to a ground quite open and unsuspicious—a ground upon which the government of this country has long and earnestly, but in vain, sought to meet that of France. Without enquiring why these restrictions to privateers are confined to the West Indies, it is important to know the meaning of the words themselves. If by "legal objects of capture," he meant *legal by the laws of nations*, the evil might stop where the orders found it, but if those words only mean *legal by the laws of France*, they mean nothing for our benefit, and that the latter is their true meaning, is apparent from the refusal of the French government to repeal those edicts in direct violation of the laws of nations under colour of which those piracies and depredations have been chiefly perpetrated. However satisfactory such overtures may be *to all parties in France*, it is extremely questionable whether any party in the United States will have the confidence to advocate them.

You have been long absent from your native country, and many things have occurred to mislead the best understanding with respect to it. This is your only apology for apprehending that its Executive may be contemplating a treaty offensive and defensive with Great Britain. Its only object with respect to foreign nations, is to preserve our neutrality and independence, and it will sacrifice the former to the latter whenever the violence of any nation reduces it to the painful alternative. In this it will be supported by the people. The spectre of a war, however *terrible* and *vindictive*, will no way influence the decision, and it will prepare for the reality with equal composure, dignity, and vigour. "Let Great Britain make peace with the first overture of the Directory, let the ocean be left open for the transportation of French troops," let them embrace the occasion; but let them come prepared for that eternal sleep which is the end of all their religion, philosophy, and labours; the United States are independent—they will continue independent. The right of resisting unjust aggression was the great principle that gave birth to their revolution; it can only be disgraced by being abandoned; but France, by new outrages against us, may add new disgraces to the principles of her's. Inconsiderable as the United States may now appear in the view of the "Great Nation," they contain inhabitants at this moment who

will live to see them more populous and more powerful than France. They are like Hercules in his cradle, and will twist off the necks of those serpents who may come to devour them. Even the present generation will not leave wholly to be paid by the next, the just debt of contempt and detestation which is due to every man who by mean and base submissions to any nation would tarnish their rising fame and slur the dignity of their future greatness. These are the feelings and sentiments of your countrymen, and I only entreat you to judge from them how far such men are to be moved by the terrors of a French invasion. But they fear her invasions less than her friendship. The examples of Holland, Switzerland, and the Italian states are before them, and they teach them to think of France as the beautiful female figure which pierced with darts, and crushed the bones of the victims it embraced. Adieu,

JAMES WATSON.

FROM BENJAMIN STODDERT.

November 27, 1798.

Dear Sir,

I send you enclosed the copy of a letter I have prepared for the President, in consequence of his of the 11th ultimo. I confine my observations to two points, —the defence of the officers of the government and the defence of the country. If I am extravagant in either, I cannot help it. As to the first, I see no reason why less respect should be paid to the comfort and safety of officers of the government, than private gentlemen pay to their own, or members of Congress, will certainly pay to themselves when the occasion offers, and I am not by any means disposed to submit to degradation. As to the second point, I not only believe now, but always did, that a navy was the only national system of defence for this country; when we divide into smaller republics, we shall have occasion for armies to cut each others throats, and even now, I believe a small army to be kept together to awe the Jacobins and to keep up appearances to France, a very proper thing. I have the honour to be with great esteem, dear sir, your most obedient servant,

BEN. STODDERT.

THE SECRETARY OF THE NAVY TO THE PRESIDENT.

Navy Department, 23d Nov., 1798.

I had the honour to receive, during my absence in Maryland, your letter of the 10th ultimo; and being such a distance from the seat of government, it was out of my power to co-operate in the enquiry you were pleased to direct, on the subject of the meeting of Congress in Philadelphia. The present severe weather, will, it is not doubted, entirely eradicate the remains of the pestilence which has so greatly affected this ill-fated city; but as it is scarcely to be hoped that the return of warm weather next year, will not bring along with it the return of the fever, it seems but rational, that some provision should be made by Congress, for

the removal of the offices of government for the summer and autumn months, whether the city should be again afflicted, or otherwise. By waiting till the last moment of safety, and then removing in hurry and confusion, the offices are of course subjected to great inconveniences; important public papers get deranged and mislaid, and the public service in many instances, suffers very material injury. Every private gentleman who can afford the expense, makes the arrangement in season, for the comfortable accommodation of his family, during the warm months, in places much more friendly to health in that season, than Philadelphia. The public interest, and justice to the officers attached to the seat of government, surely require that government should be as provident in this important matter—important to the officers and to the public, I believe, as sensible individuals in their own cases. The spirit manifested by almost every part of the country, to rally round the standard of our own government, and to set at defiance the menaces of a foreign nation, and the late affected change in the disposition of that nation towards this country, afford the strongest evidence of the wisdom, of the firm and decided tone, and measures of our government. The world will read, no doubt, in your speech to Congress, the firm and determined adherence to a a system, which, if it has not created, has at least roused and invigorated the spirit of the country, and which, if persevered in by every branch of Government, will render of little importance to the independence and permanent prosperity of the United States, the friendship or enmity of any foreign power. Whether the late reverses of fortune experienced by France, and the encouragement which will thereby probably be given to the forming of combinations in Europe, to check, and to punish her aggressions, will dispose that nation to abandon, for the present, her views of humiliating, guiding, and governing America; or whether she is still to foment, by her own partisans, internal discontents in our own country, and to persist in external depredations on our prosperity; sound reason seems to demand that our measures should be calculated to meet the worst state of things. We may securely confide in our own powers of defence, but can have little reliance on the moderation or justice of a nation, whose friendship of late, has been found more fatal to our interests than her sword. The existing laws, I believe, authorize the procurement of a sufficient quantity of arms and military stores, for the defence of the country; perhaps in the present posture of affairs, a further increase in the army may not be necessary. As to the navy, whether we are to have peace or war with France, it will, I presume, be the best policy of our country, never again to invite depredations on our extensive and important commerce, but to lay the foundations *now*, for an increase of the navy to that size, which shall be sufficient for the defence of our coasts, and the protection of our trade. Twelve ships of the line, as many frigates, and twenty ships not exceeding 24 guns on the gun deck, would, I conceive, be a sufficient force, our geographical situation considered, to prevent indifference on the part of the most powerful nations; to our friendship, and would make the most unprincipled respect our neutrality. Such a force, which is very much within the power of the United States to create and maintain, would probably be found, not only the best protection to the commerce of the eastern and middle States, but the cheapest and best defence against an invading enemy of the weaker, and more expo-

sed southern States. However unpopular the idea of a navy may have been in the southern States, it appears to my own mind quite incontrovertible, that they are more interested than even the eastern or middle States, that this kind of defence should be put upon the most respectable footing. For the want of a navy, the commerce of the eastern and middle States may be destroyed; but the southern States have a still nearer interest at hazard; their country may be ravaged, and their very independence endangered by even a weak invader. If the navy is to be increased, and I cannot suppose it possible that America is to possess no prudent foresight, or that she is not to benefit by experience, it will become necessary that effectual measures be taken to secure without delay, by purchase or otherwise, a sufficient quantity of well timbered land, conveniently situated, for the immediate, but more particularly, for the future uses of the navy. It is a truth to be deplored, that a large proportion of the ship-timber of the country east of the Delaware, any where near water carriage, has been wholly destroyed; and unless greater attention is paid to what still remains in that, and other parts of the country, the United States may be left in a few years, without the means within themselves of building, until the second growth of timber, the ships which are necessary for either commerce or defence. The navy cannot, I conceive, progress with the best despatch, or the best economy, unless the building of the large ships be confined to one or two navy-yards, to which timber and other materials may be collected in proper season. In the present mode of building the ships in so many different places, the expense of transportation, agencies, officers of different kinds, &c. &c., form much too large a proportion of the cost of the ships. It is a very common observation, and it may sometimes be a just one, that the particular department in which an officer happens to be placed, becomes in his mind all important to the safety of the country; but my own mind fully acquits me of any desire to make the Navy Department of greater consequence, merely because I happened to be placed in it. I never once had a doubt, since I was capable of thinking upon the subject, that, a navy being the only means of our carrying the war into a foreign country, or of keeping it from our own, was the proper defence for our country. As to personal considerations, interest or inclination, I own, determine me to private life, the first moment I can do it with honour.

FROM WILLIAM SMITH.[a]

LISBON, Aug. 14, '98.

Dear Sir,

I have written you several letters, but have never had a line from you. This is, however, more a cause of regret than reproach; for, tho' I should rejoice to receive something from your pen, yet I know it is too much occupied in the public service, to justify a reproach.

In the newspapers, I see from time to time, the result of your valuable labours,

[a] Mr. Smith, it should have been mentioned before, was, during the preceding summer, commissioned as Minister to Portugal.

and I read them with interest because they are your productions, and remind me of our former friendship, and joint labours; and because I recognize their utility to our country. Your anxieties must have increased, but they must be mingled with a consoling recollection of the perils we have escaped—perils far greater than any which war can produce. I admire the sentiment of the President, "that Providence intends us a blessing beyond our expectations, by making war the means of saving us from French influence." This is the whole substance and essence of the question, and this concise and pithy remark answers everything; it most effectually stops the mouths of all the canting preachers about war; it must terminate all that old-womanish whining about our reluctance to war, and its calamities and horrours, with which the addressers have disgraced in too many instances, the otherwise manly declarations they have carried to the President. Do they see anything of that kind in French addresses? No; they speak only of the honour of their nation, the glory of their arms, the injuries received from their enemies, and the necessity of avenging their insulted and beloved country. What should we think of the address of a French general to his army, full of love-sick tenderness for England or Austria? What will the world think of Americans, smarting under such wounds, and dishonoured with the grossest insults, instead of hastening to wipe away the national stain, tamely and philosophically repeating their former love towards their aggressors, insisting on their national partiality for her, and making a fastidious parade of the reluctance with which they quarrel with her, and shedding tears over the anticipated misfortunes and calamities with which this unhappy quarrel is to be accompanied. Is it not like a weak dupe, who finds himself compelled to turn an unfaithful wench out of doors, stopping her at the threshhold to whine over their former loves, and to remind her of past joys?

Yesterday I got news from Boston as late as the 14th July; accounts are pleasing. I see with pleasure, that the Declaration of Independence has passed the House by a respectable majority. We may now call ourselves an independent people; we must pay for it, it's true, but what should we have had to pay in the other alternative? The question is not an abstract one, as many of the addresses seem to consider it; when they contrast war with peace, it is a relative one—war or submission—we find ourselves in a particular predicament; the alternative only, to have war with its *honours*, (if they please) or French tyranny with its more than honours. Who, a real American, can hesitate a moment This is a subject of great expansion, but you anticipate all my ideas on it; know we agree perfectly on every point.

No certain news of Buonaparte—some accounts say he is blocked up in Malta; others that Nelson has taken two of his ships of the line, and seventeen transports—the last the most probable. Again it is reported that Buonaparte has got safe to Alexandria; nine days ago there were no news to be depended on, either at Gibraltar or Cadiz, on this subject. As to his object, it appears to be Egypt, in the first instance, as a step to the British Indies. The Great Nation, tired of the conquest of *Europe*, and despairing of that of *America*, wish to try their fortune now, in *Africa* and *Asia*; and finding that they cannot subdue Great Britain in *London*, they propose doing it at *Bengal*, which they suppose will answer the

same end; thus the ubiquitarian hero, who was at once the founder of the Italian republics—the commander of the army of England, and the negotiator of Radstadt, suddenly jumps from Paris to Brest, and from Brest to Toulon; sets off for the coast of Malabar; takes Malta by the way, and promises to be soon establishing new republics among the Gentoos, (unless Nelson should derange his projects). At any rate, the rulers of the Great Nation accomplish a great part of their project, which is to amuse the people with lofty schemes, and get rid of a number of restless and troublesome competitors. The French frigate *Sensible*, which was taken going from Malta to Toulon with despatches and plunder, is now here in sight from the window near which I am writing; the English captain of her tells me that she had on board pictures, statues, &c., but he understands little money; it is supposed Buonaparte took the money with him. We understand that there is some prospect of an accommodation between Portugal and France; I think it is clearly against the interest of the former to make peace with the latter, for the inevitable consequence would be, the having in the country an ambassador and consuls, who would either rule the councils of Portugal, or occasion a speedy rupture; besides, any peace on the basis of the exclusion of English ships of war, would be ruinous to this country; their wisest policy is to keep things on their present footing, and to keep up the appearance of a negotiation without concluding one. They have, at present, a respectable navy—fifteen ships of the line, and about as many frigates; a part convoys their Brazil trade, which has, of late, been prosperous, and there is a squadron of five sail of the line, and some frigates, with Nelson; one ship of the line, a frigate and brig from the Algerine squadron, which lies at Gibraltar with a westerly wind, and cruises in the streights when it is easterly. The English have, likewise, the aid of a small Russian squadron, of five sail of the line and a frigate, in the North seas. I am happy to find that at length the American navy begins to be known; the present crisis is very favourable to its establishment. Cost what it may, we must have it, or cease to call ourselves a nation.

God prosper you and your efforts for the public good. Adieu, my dear sir; believe me ever yours, &c.

W. S.

Aug. 17th.

Harper's pamphlet has been translated into Portuguese, and distributed here gratis. I have not been able to learn by whose orders, for though it professes on the title-page to be printed in London, yet there are circumstances which indicate that it was translated and printed here by order of the government, which, though anxious to circulate the sentiments contained in it, have some apprehensions from the French. I have read it and compared it with the original, and am sorry to say that it is a most wretched translation, in many places changing altogether the author's meaning, and omitting whole and important paragraphs. It appears to be the work of some Portuguese, too ignorant even of his own language for such an undertaking, and too lazy to have even corrected the press-work. I have been extremely mortified to find so able and useful a performance

as the original, so dreadfully distorted by its new and foreign dress. Still, with all these blemishes, I am persuaded it will do good. Most of the sentiments, which are forcible and convincing, are as applicable to Portugal and many other countries, as to the United States. I hope it will be translated into French and German, for the French ought to be counteracted by their own weapons; they have made it a constant practice to have all their incendiary works published in all languages. The letters of our commissioners, which disclosed the infamous proceedings of X. Y. Z., were translated by order of the British government into the French, and thus circulated over Europe, and have produced, everywhere, much sensation favourable to the United States and hostile to France.

Pray, what is to be done with the *flag* which our *ci-devant* ally so lovingly sent us? Is it to be kept as a memento of our former follies, to warn us against similar errors, or, according to the custom of lovers when they quarrel, is it to be sent back to them? And as lovers, when they fall out, tear and destroy the tender writings which had passed between them, would it not be well if we were to tear out of our journals all the tender nonsense and love-sick protestations which disgrace them, and of which we ought to be now ashamed?

To show you what is thought of an invasion in England, I inclose you a humorous advertisement from a London paper.

An account of a French squadron having got out of Brest, for the purpose of intercepting the Brazil convoy, has occasioned much alarm. A very valuable convoy is shortly expected; should the French squadron not fall in with it, they may pay a visit to our coast. You should be on the look out.

Be so good as to show this letter to the Secretary of State.

W. SMITH.

FROM RUFUS KING.

LONDON, October 16, 1798.

Dear Sir,

We are impatient to receive the Hamburgh mails; two are due, and, according to the last news, we may expect the result of the Congress of Rastadt. If the reports in the French papers are correct, the empire is likely to make its peace, and the Emperor to be again involved in the war. But the cabinet of Vienna is so wavering and undecided, that it is not easy to predict its final determination. On the one hand, its preparations for war are increasing, and the movements of the French, particularly in Italy, such as indicate the greatest probability that Naples will speedily be attacked; on the other, the recent refusal of Austria to ratify the convention lately signed by its minister at this court, for the reimbursement of the monies advanced by England before the treaty of Campo Formio, pretending that the ratification at this moment might have a sinister influence upon its negotiations with France, added to the important circumstance of the Emperor's having remained a quiet spectator of the overthrow of Switzerland, which opens his dominions to France, would incline me to conclude that Austria, at least, believes that she shall avoid the war and dispense with the future succours of England.

Russia is in the most zealous manner employing her influence to engage Austria in a new coalition, and has certainly come forward in the most liberal and decisive manner to support the Porte. This revolution in the politics of St. Petersburgh is among the unexampled events of these extraordinary times. England is of course gratified, and as usual has engaged an eventual subsidy to Russia of twelve hundred thousand pounds sterling. But unless Austria confederates, the Russians and Turks can do nothing against the body of France. Perhaps among conjectures, this is as probable as any; that the Emperor will continue to temporise till the Empire has made its peace, when France will either march against Naples, or without reserve attack Austria on the side of Switzerland. War abroad can alone prevent war at home.

Portugal has again failed in an attempt to treat with France. Through the mediation of Spain, the Directory consented to receive another minister. This was at first refused, and at last agreed to only upon the assurances of d'Azara, the Spanish Ambassador, that on the conclusion of the treaty, the customary and liberal presents would be made by Portugal. Norunha, the new Portuguese Envoy, had scarcely arrived at Paris, before he received passports and an order to leave the territories of the republic. The real cause of the failure may be conjectured, but is not known; the published one is, that the Directory declined a treaty on the former basis and that Norunha had no power to accede to the large demands of money and of territory in Guiana.

We have yet no certain intelligence of the destination of the Brest expedition. Another small squadron with troops is reported to have put to sea within a few days from Dunkirk, and the French papers mention the sailing of two or three frigates from Brest for the Windward Islands. They are said to have on board two agents of the Directory, one for Guadaloupe and the other for Cayenne.

Several of the counties in Ireland continue to be infested with a daring banditti, who, from the fastnesses of the mountains, lay waste the neighbouring plains. The plan of uniting Ireland with Great Britain, which was in agitation in the year 1792, and laid aside on the breaking out of the war, has been lately resumed, and measures are at this time in train to carry it into effect. A million sterling was, in 1792, the estimate of the sum that would be necessary to accomplish this measure, perhaps the same sum will still be sufficient, as the late disturbances must have depreciated all property in that country, and none perhaps more than that of the owners of the boroughs.

I had yesterday a conference with Mr. Pitt, on the subject of my [letter] No. 4. He thinks the measure one that will prove beneficial to both countries, and that the objections which I had suggested may be got over. Facts are wanted, and means are employed to collect and arrange them. The concert must necessarily be temporary, should it on consideration be approved by the governments of the two countries. Coffee is an article of equal importance with sugar, and instructions have been sent to the British consuls to collect information of the quantity of these articles exported from the countries where they severally reside, in order to assist in deciding how far the trade is in our hands. I have, as you would suppose, said that I could conclude nothing, nor shall I do anything that shall in the smallest degree compromit us. But if the subject should appear to the Presi-

dent to deserve attention, he will perhaps think it proper by the earliest opportunity, that you should express to me his instructions respecting it.

After our conference on this subject had ended, I took an occasion to express to Mr. Pitt the embarrassment to which several branches of our trade to this country are liable, from the intricacy, the prohibitory clauses, and in several instances, the rigour of their commercial laws; and, adverting to the relaxation that usually takes place, during every war, in their famous navigation act, expressed a wish that the policy might become more and more clear, of permitting England to become the entrepot of the trade of foreign nations. He immediately interrupted me by saying, he was in hopes that the next session would not pass over without the establishment of extensive and very important regulations on that subject, and I hear it is in contemplation to make eight or ten free ports in Great Britain, where the productions of all nations may be brought and deposited free of all duties, except on such of them as shall be taken out for home consumption, a policy that, beyond any other, will serve to increase the wealth and extend the commerce of this nation.

Our conversation finished by Mr. Pitt declaring to me, that their commerce during the last year has been more extensive, and their ordinary revenues more productive, than in any former year; and that the result, as well in regard to the new as to the old taxes, disproved the assertions which had been made respecting the incapacity of the nation to support the burthens it was obliged to bear, and, joined to the prevailing unanimity and firmness of the country, afforded him the fullest convictioh that even alone England would be able to carry on the war as long as France may be inclined to pursue it.

I hear it has been decided to maintain a strong and superior naval force in the Mediterranean, a circumstance that I hope will be turned to profit by our merchants, and particularly by those concerned in the fisheries—it is time that we should begin to indemnify ourselves for the immense expenses of our Barbary treaties.

Sir James Marriott has resigned, and the probability is that Sir William Scott will be his successor; this is an event of great importance to us, as well as to all others who have suffered by the caprice, infirmity, and incapacity of the late Judge. Annexed, I send you copies of a letter from Mr. Tazewell, late Secretary, to Mr. Gerry, and of my answer.

The long vacation, as it is called, being nearly over, I intend resuming with the Chancellor the question respecting the Maryland bank stock. Russell's family has certainly been compensated, and I can really see no remaining objection to the claim. With great respect and esteem, I have the honour to be, dear sir, your obedient and faithful servant,

RUFUS KING.

It is now necessary to return to Mr. Gerry, who, under a threat from Talleyrand that his departure would occasion an immediate rupture, had assumed the responsible

task of sustaining alone a mission, in which the three envoys collectively had failed. The reason he assigned upon his return for this course, is a striking one. "To have left France under such circumstances, was a measure which I could not justify. The power of declaring war was not entrusted with the supreme Executive of the United States, much less with a minister; and to have thus provoked it, would, in my mind, have been tantamount to a declaration of war." It would be a difficult matter to determine the limits of endurance which a minister with such opinions would set to himself. Others have not always been so scrupulous, or met with rebuke for their boldness.

A more melancholy instance of successful astuteness on the one hand, and of blind fatuity on the other, than the subsequent scenes of this embassy, is not to be found in the history of diplomacy. After the departure of his colleagues, Talleyrand renewed his endeavors to draw Mr. Gerry into negotiations, insisting that as the credentials were joint and several, he had authority to act alone. This, Mr. Gerry, who could not but see its impropriety, declined, stating that he could only confer informally and unaccredited, and communicate the result to his government. Talleyrand, however, during the remainder of his residence at Paris, continued vehemently to insist upon his authority, and importune him to exercise it. Towards the end of April, Mr. Gerry urged the minister to come forward with propositions on his part, and the latter, after some objections, promised in a few days to do so. On the 12th of May, the vessel despatched by the Secretary of State, with the instructions of March 23d, arrived, and Mr. Gerry informed the minister of his instructions to depart in her. He however lingered in the vain hope that the expected proposals would be delivered to him. This, under various pretexts was delayed, but in the meantime he was lulled by some

informal discussion of its intended contents. On the 26th of the same month, Talleyrand agreed to send a minister to the United States; a promise afterwards explained to mean that he would send one when the treaty was concluded.

In this stage of the affair the official despatches of the envoys which had been published by Congress, were received in France, and Talleyrand, with an effrontery which added even to his own well earned reputation, affecting entire ignorance of the persons designated by the initials, thereupon wrote to Mr. Gerry, expressing his surprise "that intriguers had profited by the insulated condition in which the envoys of the United States had kept themselves, to make proposals and hold conversations, the object of which was evidently to deceive them," and requesting him to make known to him immediately their names.

Mr. Gerry, instead of resenting so egregious an insult, attempted to evade the request, stating that "if any of those persons were unauthorized to act, or having definite powers had exceeded them, they certainly had abused the government and the envoys likewise; but he was incompetent to judge of these points, as they did not produce to his knowledge, credentials or documents of any kind." To free innocent persons from suspicion, he, however, declared, that three of the agents were foreigners, and the fourth acted merely as messenger and linguist. He was not, he says, "disposed to accuse or exculpate the French government or minister; the latter had disavowed the intriguers, as they were styled, and they, in their conferences with the envoys, had declared that they were not authorized by the government." Talleyrand, encouraged by this timidity, renewed his application for the names, further demanding, as the three principal persons were admitted to be foreigners, "whether any of the citizens attached to his service and authorized by him to see the envoys, told them a word which had the least relation to the disgusting proposition which was

made by X. and Y. to give any sum whatever for corrupt distribution." The very messenger who brought this letter admitted to Mr. Gerry that the names were already known, and actually mentioned them, adding, "that matters had become very serious; that the Directory required something from him in confirmation of their discovery; that this was the use which would be made of his letters; and that the minister did not wish for any declaration from him but what should be *perfectly consistent with truth.*" Yet notwithstanding this fresh insult, he permitted himself to certify the innocence of the citizens attached to M. Talleyrand's service of any similar overtures, and consented to give up the names, on Talleyrand's assuring him that they should not be published on his authority. The assurance was easily given, and Mr. Gerry accordingly disclosed "under his hand and seal," the names of M. Hottinguer, M. Bellamy, and M. Hauteval, "although the measure did not appear to him necessary for their discovery," and though a promise had been made to the two former that their names should in no event be made public.

When it is considered that the visits of these gentlemen commenced immediately after the envoys had received official notice from Talleyrand's secretary, that persons would be appointed to treat with them, who would report to him; that no other persons were appointed or attempted to treat; that these three were all men of note; that they would not have ventured upon a fraud so certain of detection; that they asked no loans, no bribes for themselves; that without interest of their own they persisted for months in importuning the envoys to consent to terms which the Directory could alone have ratified; few men would require further evidence of their character.

They did not indeed produce "credentials or documents of any kind," *written* credentials were not to be

expected of persons employed on such an errand; but Mr. Gerry had had Talleyrand's personal assurance that the principal one, M. Bellamy, (Y) was acting under his authority. According to his own report, after an interview with Bellamy, which took place on the 17th of December, at which the "disgusting propositions" were urged, he accompanied him to M. Talleyrand's office, and mentioned that he had that morning received proposals from him as coming from the minister, and was told by Talleyrand "that the information M. Bellamy had given him was just, and might always be relied on." Now this M. Bellamy was the person who had represented himself throughout as *the* confidential friend and secret agent of Talleyrand, and who had made in that capacity the various propositions which have been detailed. In his published defence he moreover declared that he "had done nothing, said nothing, and written nothing, without the orders of citizen Talleyrand." And yet Mr. Gerry knowing all this, defended his admissions to Talleyrand by the subterfuge that the intriguers in their conferences with the envoys had declared that they were not authorized "*by government.*" M. Hottinguer and M. Hauteval were scarcely less plainly acknowledged. The former, indeed, acted chiefly as the companion and messenger of M. Bellamy, whom he had introduced to the envoys as Talleyrand's agent; but his exertions were scarcely less strenuous to prevail upon them to accept the terms than those of his principal. M. Hauteval was the one who brought the intelligence that Talleyrand wished to see the envoys in their private character, who accompanied Mr. Gerry to Talleyrand's office, and introduced him to that minister, repeated to him, at Talleyrand's request, the substance of his remarks, and assisted him in reducing them to writing. Add to this that Talleyrand at this very interview made to Mr. Gerry the same propositions, demanded the same loan, to be paid in the same

way, and the same secret service money; that the three agents dined together with Mr. Gerry at Talleyrand's hotel, and after dinner repeated the proposals; that during the whole intercourse of Mr. Gerry with Talleyrand, no word had ever indicated that they were not authorized to make the communications they did, though constant references were made to their statements; that at the final interview of all the envoys with the minister, General Pinckney expressly and distinctly told him, that his own propositions "appeared to them to be substantially the same with those which had been made by M. Hottinguer and M. Bellamy, and also to Mr. Gerry;" finally, that all these facts and circumstances were shown by the despatches; and the boldness of Talleyrand in pretending ignorance of the intriguers and calling on Gerry for their names, is hardly more wonderful than the weakness of the latter in becoming the witness of his own credulity, and his pusillanimity in shrinking from the assertion of his own honor.

Mr. Gerry's communication of the names was followed a few days after by an official article in the *Redacteur*, in which, "contrary to assurances received, he was made to act a very conspicuous part, and was attacked under a thin veil of insidious compliments." This paper led the way to a correspondence of a very extraordinary character. It will be necessary to review it at some length, as a ground work for future remarks.

The article in question commenced with some stately remarks upon the "strange communications" of the American envoys; but speedily digressing to that fruitful topic of invective, the British government, charged it with the endeavor "to organize corruption" around the French republic. This system, it was said, should be exposed and confounded, "and the American people should know the height of the precipice to which they were urged by the servile friends of their former oppressors." A distorted

review of the origin of the disputes between the two countries followed, in which the aggressions and infractions of treaty were represented to come from America. The just and friendly complaints of France, it was said, were "answered with a treaty, clandestinely negotiated and concluded with Great Britain." France was placed under the necessity of manifesting her too long suspended resentment, and at length the United States, "sensible only to the disagreeable consequences which had resulted therefrom to themselves, appeared to wish a reconciliation."

"Three commissioners had been sent for that end to the French republic; two of them, General Pinckney and Mr. Marshall, manifesting against France prejudices brought from America, or imbibed from the nature of the connections which they lost no time in forming here; and the third, Mr. Gerry, announcing more impartiality, and manifesting himself more disposed to lend a favourable ear to every thing which might reconcile the two republics.

From this ill suited union, which disclosed dispositions not very conciliatory, there must needs result, and there had in fact resulted a crooked and embarrassed career on the part of those commissioners; hence their constant aversion to do what might reconcile—their eagerness to write what might disgust."

The writer continued in a similar strain to narrate the proceedings of the envoys during their joint sojourn at Paris. At first it was said they manifested a desire to be acknowledged; but explanations of some expressions insulting to the republic, contained in the opening speech of the President, were demanded from them as a previous condition. This they refused, and had recourse to groundless recriminations. Soon afterwards a willingness appeared to spare them the embarrassment of the disavowals, and "in order to detach them from England, and to restore in a small degree the balance so strongly inclined in favor of that power by the last treaty, it was wished that an unequivocal proof of attachment to the cause of France, which so recently was their own, might be obtained from them." Such a proof they were given to

understand would be the purchase for specie of some Batavian inscriptions payable in instalments. "They said that they did not possess the power, and they showed that they had not the will." The unwillingness of two of them to visit M. Talleyrand, who had "complained publicly that he did not see them," was noticed. Mr. Gerry who did go, "whether from embarrassment in explaining, or fear of compromitting himself, said but little, and did not venture to decide upon any thing." In the meantime they thought themselves bound to transmit to their government a voluminous account of their negotiation, and for want of better materials had filled it up with the despicable manœuvres of all the intriguers, who seeing them secluding themselves from the government with which they ought to treat, hastened to gather round them.

The communications of these "intriguers," and the mode of conducting their approaches were made the subject of a long and derisive criticism. Their object it was declared, was to obtain for themselves the sum demanded as a douceur for corrupt distribution, and the envoys were ridiculed for their simplicity in receiving them. At the same time the charge was made, that while they informed their government of these circumstances in detail, they were silent upon the official communications made by the persons in the minister's office on his behalf. "It was without doubt, because those communications, agreeing with the few which the minister himself made, were pure, upright, and calculated to do honor to the French government. It was part of their plan to pass them over in silence. The others, so suspicious in their origin, were defamatory in their object; they had the utmost impatience to make them known." From these reproaches, however, Mr. Gerry was expressly excepted, "who doubtless might have been deceived both by the foreign intriguers, and perhaps also by his very colleagues, but to whom no suspicion of bad faith, or insincerity could attach." Mr. Gerry was un-

questionably right in considering these as "insidious compliments."

The document, of which a condensed review has been here given, was, as its commencement indicated, unquestionably prepared to produce an impression, not upon the French, but upon the American public; to give a cue to the Jacobins in the United States, by which they might understand their parts, and be instructed how to remove the impressions produced by the publication of the despatches. Its conclusion is moreover remarkable, not only as pointing out the very mode of attack upon the federal administration, which the opposition actually followed, but as affording one among the many proofs, that if the Directory had profited by the open suggestions of their American partisans, the latter were no less indebted to the cunning of the French diplomatists, for valuable hints in the conduct of their political warfare. It pretended to unfold the secret motive which had actuated the Executive of the United States, and the two envoys. "They wished for war; and they wished that insulted France might declare it against a people whose course she had defended, and that it might be restored by her to the arms of England." The interest of England that this should happen was, with a truly logical induction, alleged as a proof that the government of the United States meditated its accomplishment. On this assumption it was asked:

"Can it then be true that, to the disgrace of the human mind, many citizens of the United States should be found who are seriously reconciled to the English form of government? Can it then be true that men called by the public confidence to the head of the government of the United States, have written in favour of the British constitution, merely to prepare its adoption in their own country? Can it be true that a thirst for honours, greediness of wealth, and a desire for perpetuating power, have already ripened this conspiracy against liberty?

If this ought to be no longer considered as a suspicion, all is explained. War is necessary, in order to raise troops and obtain supplies; an unnatural war against old friends, against brothers, against republicans, is more especially necessary; it is necessary that this war should excite civil commotions, shock every idea of morality, and rouse to resistance the true sons of America; and pretences

will arise in abundance for stigmatizing with sedition the honourable defenders of principles, and for substituting a monarchical in the room of a representative government.

It would be hereafter unnecessary to dissemble. Such are the criminal practices of the English cabinet. Such is the blind propensity of a government which it influences; and it is the French republic that is instigated to strike the fatal blow! But superior to the influence of her resentments, she will be actuated by nothing but the happiness of the two republics, and she will appeal to the whole universe to judge of the sincerity of the dispositions which she has never ceased, and which she never will cease to manifest for living in peace with America."

As the source from which this paper proceeded, admitted of but little doubt, Mr. Gerry was inclined to reply to it, and actually prepared a note "for detecting the artifices, and correcting the abuses of that curious performance." Reflecting, however, that it might open a door to altercation, a thing of which he seems indeed to have been always under apprehensions, he suppressed it, and instead addressed Talleyrand a letter, in which availing himself of the "pacific declaration" at the conclusion of the strictures, he urged the adoption on his part of pacific *measures*. In conclusion, he reminded Talleyrand that the vessel in which he intended immediately to embark, though national property, was detained by the embargo at Havre, and that his passports had not yet been sent.

To this Talleyrand replied on the same day. Prefacing his letter with the haughty declaration, that Mr. Gerry "could have hitherto remarked in his letters, nothing but his eagerness to fathom the dark intrigue therein referred to, and to discover its ramifications;" that "all further explanation in that respect would be beneath the dignity of his government," he proceeded to animadvert on the intention manifested by the President's message of April 3d; by the "rapid publicity" given to the despatches, and "by the concealment made of the official communications." His letter of the 18th of March, he said, "as soon as it should be made public," would sufficiently pro-

duce the desired effect of dispelling any apprehensions which existed in the United States, and the disposition to conciliate differences being as sincere on its part, as on that of France, would speedily remove all difficulties. He concluded by demanding in terms whether Mr. Gerry "was at length in a situation to proceed towards that important object." The matter of the passports was quietly overlooked.

Mr. Gerry answered the insolent charge that the President, in transmitting the other despatches to Congress with his message of the 3d April, had withheld the letter of March 18th, by showing that from the dates of the two papers it was impossible he should have received it. Of its effect in removing the inquietude existing in the United States, he expressed no opinion, but he repeated that before that letter was sent he had himself stated that its propositions were impossible. He reiterated his own want of powers, and proposed that France should, on her part, send an envoy to America to complete the arrangements.

Talleyrand's retreat from his charge, that the President had suppressed *official communications*, was characteristic. Although the only interpretation that could be given to his language was the one put upon it by Mr. Gerry, that the letter of March 18th had been suppressed, no other official communication having proceeded from him, he contented himself with saying that "he had not committed *that* mistake." The matter is of consequence because in the subsequent letters the subject was continued. His object was now, in part at least, accomplished. He had hit upon a subject which would provoke discussion. It was no part of his intention either to deliver a project of a treaty to Mr. Gerry, or to send an envoy to negotiate one in America. It was enough to prevent his departure, and to keep up the appearance of an anxiety to treat with him. Under cover, therefore, of this correction of Mr. Gerry, he brought forward, instead of the project, new

overtures, which presented a general plan of negotiation, and stated three principal points on which he said it must essentially rest. They were—

"1st. Frank and amicable declarations concerning certain circumstances which malevolence had and might yet misrepresent.

2d. Fixing the meaning of several articles of the treaties between the two countries, and the absolute enjoyment of the rights which flow from them.

3d. The impartial examination of the damages which have resulted from the deviation from the treaties of 1778."

Such exceedingly general propositions were in themselves somewhat suspicious. They were accompanied by what he termed "a large developement," which prevented any possible misunderstanding of their intention. The frank and amicable declarations were to be the retraction, on the part of the United States, of all censure of the French government, its agents, or actions: the meaning of the treaty articles was to be fixed, and the rights flowing from them secured, according to the pretensions and demands of France; the impartial examination of damages was to reimburse France for alleged losses by American deviations from the stipulations of the treaties. The only intimation made of any satisfaction to the United States was the barefaced assertion that the French government "had never refused, and never would refuse *to enter into discussion* upon any proper subject;" and even this was qualified by the preface that "the complaints which the United States now made were, in fine, only the consequence of a state of things which had cost the French republic and its citizens the most considerable damages," and which "might have been prevented had those of the French government been attended to." These explanations Talleyrand made, "notwithstanding the most irritating provocations," as a proof of the sincerity of the assurances given in the name of the Directory. It was now in the power of the United States to realize the dispositions Mr. Gerry had manifested in its name. It would

belong to it to pursue the best measures to effectuate a prompt reconciliation, and "he ardently desired that they might correspond with the wish of the Executive Directory." Mr. Gerry's objections to negotiate, and his intention of returning, were strenuously contested. Talleyrand had presumed that after having received and transmitted his letter of the 18th of March, "that one of the envoys, whose impartial dispositions appeared to promise a reconciliation, would wait at Paris for further instructions, if he had need of them." These instructions could not now be long in reaching him, if his government was as averse to a rupture as he had asserted. They required, said Talleyrand, to be "very general," in order to obviate the inconveniences which were prolonged even until then. Instead of returning to the United States, it would be preferable for Mr. Gerry to ask for the necessary instruments. "Nothing could more accelerate the drawing together of those ties which the French republic and the true Americans had regretted to see relaxed." The prudence of his connections in France had preserved him from the prejudices which it was difficult not to contract when one was less on his guard against foreign and even domestic intrigues." Talleyrand "persuaded himself that he would transmit to his government *only accurate despatches.*"

Mr. Gerry's reply to this, dated the 22d of June, was confined chiefly to its insinuations, and to a disclaimer of the ironical compliments paid him therein. The propositions he promised to lay before the American government, but he declined asking for powers. The letter was undoubtedly intended, though most ineffectually, to close the correspondence, as, on the 25th, he again applied for his passports.

Talleyrand was, however, by no means to be thus defeated of his object. His next letter (June 27th) was still more extraordinary in its language than the last. In the commencement he recurred to the charge against the President,

and, repeating his former assertion that he did not allude to the letter of March 18th, he proceeded:

"I have been furnished from the United States with the clearest proofs, supported even by articles extracted from American papers, of the knowledge which subsisted there before Germinal [before the 21st of March] of the objections of the Executive Directory to any negotiations with two of the envoys, and of its *express desire of treating with you*. In effect, I early testified to you this disposition; and the declaration on this subject inserted in my note of the 28th Ventose [18th March] was only the official expression of a thing already comprehended, as well at Philadelphia as at Paris.

For the rest, sir, let us hereafter pass over these useless episodes, and let not our communications further bear the tint of recriminations. Those who are truly impartial will, perhaps, discover a degree of generosity in this proposition coming from my side."

It may be as well, before pursuing the subjects of more regular discussion, to follow out this "episode" to its termination. Mr. Gerry was naturally not contented that Talleyrand should thus easily pass over the matter, nor disposed to accord him the meed of generosity in doing so which he modestly claimed. Talleyrand's overtures had been made to him in private, and under a promise of secrecy. Between himself and the French government, therefore, lay the suspicion of having revealed them, and this insinuation pointed out, in a significant manner, upon whom that suspicion was meant to rest. In a letter to the minister, of July 1st, he replied that, admitting the knowledge of the facts by his government, it did not prove to his mind that the President of the United States had received official communications and concealed them; but it was a convincing proof, that the information of those facts must have been sent from thence to the United States, when secrecy respecting them, imposed on him previously to their communication, was strenuously insisted on.

M. Talleyrand answered to this that it was clear that before the first of March the intentions of the Executive Directory could not be known at Philadelphia but by

communications from Paris; but he attested "that they did not proceed either from the French government or its agents, or from any one whatever to his knowledge." In the meantime he asked, admitting the gratuitous supposition that Mr. Gerry made upon the subject, was it therefore less true that the overtures to treat with him were known in the United States, when it was declared that France refused all negotiations?

Mr. Gerry closed the dispute on this point by affirming that the communication of the intention of the Directory did not directly or indirectly proceed from him, and following up Talleyrand's last remark, pointedly adding, that the rumour there must have been vague, and could not have merited the attention of the President of the United States; much less could it have authorized his formal communication thereof to Congress.

A prominence has been given to this affair, because it shows beyond dispute the nature of the intrigues set on foot to create suspicions against the federal administration; to foster the idea that the opinions and conduct of the ambassadors was alone the cause of the failure of their mission; that the French government was sincere, and the American faithless, in their professed desire for peace. It will be recollected that the first information which the President had of Talleyrand's letter of March 18th, was through a Jacobin newspaper. To Messrs. Pinckney and Marshall the suspicion never could attach of this communication, and Mr. Gerry, though a bigoted partisan, was also above the imputation. Whatever may be thought of their comparative astuteness, there was, upon a question of veracity, no doubt, as between him and M. Talleyrand, which of the two was entitled to belief. The intentions of the Directory, as regarded the envoys, were unquestionably disclosed by the same party who transmitted the letter.

But to return to M. Talleyrand's note of June 27th.

He continued by repudiating, in a tone of some asperity, any imputations of having delayed the progress of the business. No propositions could be made until the departure of Mr. Gerry's colleagues, "nothing was entered upon as long as the three envoys were present; one alone manifested a temper of reconciliation." Time had, afterwards, been necessary to unite his views with those of the Directory. Talleyrand was about to transmit the result of his reflections, towards the end of May, "when the incident happened which, for a moment suspended the principal object." He did not see what delay he could have prevented. Mr. Gerry was shortly interrogated as to his motives for a withdrawal from France, and was told to "reflect on the possible consequences of his departure, and to judge for himself whether he who truly wished for peace ought to consent to it." He was, instead, invited "more and more to advance the work they had entered upon." That work suddenly assumed a new form. The propositions previously made embraced three points. Of these Talleyrand now said, "the first will take but little time, and may be postponed; the third will, doubtless, experience no difficulty on either side, after the second shall be amicably settled. It is to the second, therefore, that we should attend." And, accordingly, the minister commenced with the consular convention, the least important of all the questions in dispute; one which, by its own limitation, was before long to expire, and enclosed a note upon the ninth article.

Mr. Gerry, on the 1st of July, answered this letter, commenting on M. Talleyrand's remarks, and without discussing his note, reminded him that his application for passports had been unnoticed. Receiving no reply, he called upon the minister, a few days after, to know the cause of the delay, when M. Talleyrand personally renewed his importunity that Mr. Gerry should discuss the points he had suggested, touching the consular convention. This

Mr. Gerry declined, on the ground he had previously taken, that he had no powers to treat, and that this, however qualified, was a formal mode of negotiation. Had M. Talleyrand, he said, brought forward as he had proposed, the plan of a treaty, "they might have passed upon it expeditiously," and might have made it acceptable to both governments; the most important points might have been first considered, and if not adjusted, might have precluded the necessity of passing on the rest; in addition to the objection already stated to his mode, it commenced with the consular convention, which would soon expire; even should they agree upon this, and upon the lesser points of the commercial treaty, Talleyrand might reserve to the last the weighty articles thereof, and failing in these, months might be wasted in negotiations which would in the end prove fruitless.

M. Talleyrand stated that the notes Mr. Gerry had sent him, respecting the views of the United States, were informal. This objection was removed, the notes being reduced to form for constituting part of the treaty, and delivered to M. Talleyrand on the 6th. The latter, at this second interview, referred Mr. Gerry to a note he had sent him that morning, which vehemently urged a procedure to business, telling him that "it was not enough to send those propositions to his government; they were only the basis of discussions on each question of detail of which they ought to find a solution." He concluded by sending notes on two other points of the consular convention.

Mr. Gerry, on the 10th, refused an epistolary discussion, and demanded a definite answer to his application for passports.

On the 15th, he received from Talleyrand a letter of some length. This communication began with the observation that, as long as the minister could flatter himself of the wishes of the Directory to reëstablish the good understanding between the French republic and the United

States, he had used his efforts to prevail upon Mr. Gerry to enter on the business. It was in the character of envoy of the American government that he had received him, and it had depended upon himself to be publicly received by the Executive Directory. Without partaking of Mr. Gerry's opinion, with respect to the change which the departure of Messrs. Pinckney and Marshall might produce in the full powers (wherein he had read that Mr. Gerry was authorised to treat *separately*), it had appeared to him that, even on his own hypothesis, that gentleman should have referred the question to his government, and in the interval have fixed with him, by friendly discussion, all the questionable points of difference. This proceeding was the more natural as, setting aside the "*premature knowledge*" which Mr. Gerry's government had of the offer to treat with him, M. Talleyrand's letter, of the 12th of March, had left no doubt on the question. The subjects of that letter M. Talleyrand thus recapitulated:

"It comprehends three objects perfectly distinct. It begins by rectifying, with the dignity which becomes the French government, the statement of grievances of the United States, drawn up by their envoys, *in the inverted order of facts*, on the 28th Nivose preceding 17th January. It next points out the reasons which prevented the negotiation from being carried on with the envoys collectively. It finally declares solemnly the conciliatory dispositions of the Executive Directory; its express desire of renewing, between the two countries, the ties of their former friendship, and the intention to treat with you. A declaration so explicit was made only to furnish the President of the United States with an infallible means of accommodation. It was a pledge of peace that might be taken up. I presumed that you could not be long in receiving analogous instructions, and even other powers, *if they were necessary*; or that, at least, if you had announced to the President a wish to return to America, another envoy would come to consummate the happy work, which we should have had the satisfaction to prepare."

With such well grounded hopes, continued Talleyrand, were mingled considerations upon the inconveniences of Mr. Gerry's departure. He had given the latter to understand that, "notwithstanding the assurances he had given him, *nobody would believe* that it was owing solely to his

inclination, to a thorough conviction of the invalidity of his powers, or to a wish to see the care of the negotiation confided to other hands." He had conversed with him respecting the conjectures it would give rise to; the means it would furnish the British cabinet, and the suspicions which the French government would be made to conceive. He had endeavored to make him see into its "*possible consequences.*" These views had induced Talleyrand to resist, as much as he could, the desire Mr. Gerry manifested for quitting France. Mr. Gerry, in his letter of July 10th, had decisively insisted upon it. The Executive Directory had, consequently, authorized his passports to be sent him.

"May your return to the United States, and the communications of what has passed between us, since you have solely represented your government, remove there the injurious opinion of hostile intentions on the part of France; you have often repeated to me, since you pressed your departure, that if you could not treat here as an envoy, *your good offices in the United States should not be spared as a citizen.* You have it not in your power to render the two countries a more signal service, than by contributing to make their political and commercial relations accord with their inclination and interest. Assure your government that the Executive Directory perseveres in the intention of conciliating with sincerity, the differences which have arisen between the French republic and the United States, *as soon as an opportunity for that purpose shall be sincerely presented.* If it be really true that the dispositions of your government correspond therewith, *let it give a proof of it,* and you may answer beforehand for its success.

You cannot dissemble, sir, that if nothing prevent you from pursuing with me the examining and reconciling of the grievances which divide the two countries, we should not long stand in need of anything but the respective ratifications.

Who will doubt of the sincerity of the French government, when it shall be known that, for nearly three months, every pressing solicitation came from me, and that, faithful to the engagements I have made in my note of the 28th Ventose, (18th March), I have been the first, seriously to press the negotiation, after the departure of Messrs. Pinckney and Marshall? It will not be said, I hope, that the refusal to treat with them is a refusal of conciliation; because this refusal was accompanied with a promise to treat with you, *and your full powers presented you, as separately authorized.*"

M. Talleyrand proceeded, in continuation, to enumerate instances in which he had pressed the negotiation, and warmed with the recital, exclaimed to Mr. Gerry; "You have not even given me an opportunity of proving what

liberality the Executive Directory would use on the occasion. You never wrote, in fact, but for your departure; and it is the French republic which is accused, in the United States, with not wishing for peace!" The minister then "ascended to the period when the first symptoms of discontent manifested themselves." The course of the disputes between the two countries, from the arrival of Genet, was briefly sketched, to show that the United States had been ever the aggressor; France the patient and long suffering victim; and the catalogue of wrongs is summed up by the assertion, that "a transaction clandestinely negotiated, ended by consecrating to the detriment of a friendly nation, the pretensions of its implacable enemy." Still France had endured!

"Far from taking a hostile attitude, it affected indifference, in order to show itself patient with dignity. The crowd of complaints which it received, obliged it finally, to change this line of conduct. It caused its grievances to be declared on the 25 Brumaire, 5th year, (Nov. 15, 1796) and in order to produce a negotiation too long delayed, it draws from the treaties of Paris and of London, the most suitable means of hastening it. It is animated by no view of aggression—by no hostile intention. In order to obtain from the United States some degree of justice, it places them in a situation to be obliged to demand an arrangement themselves. Let us see now, whether it has rejected any honourable propositions.

Mr. Pinckney had departed before the declaration of the 25 Brumaire,[a] which suspended the customary relations. He came to succeed Mr. Monroe, and like him, to explain and palliate the conduct of the United States, without any special power for the negotiation demanded by France. He could not be received, because he was not in a situation to fulfil the conditions required upon the resumption of political connections. The President of the United States thought it his duty to call an extraordinary meeting of the legislature. I shall not review the opening speech, nor the turns which the debates took in that session. But I will say, that the impression which resulted therefrom at Paris, was unfavourable, previous to the arrival of the envoys; that this circumstance alone, raised an obstacle which ought to have been foreseen at Philadelphia; that the envoys themselves, unwilling to comprehend the natural effect of this kind of provocation, have contributed to render the impression more durable. It has finally, however, yielded to the primitive desire of a sincere reconciliation. You

[a] Adet's letter to Secretary of State, declaring that the relations between the two countries founded on treaty, were suspended until the government of the United States returned to itself.

find a proof of it in the very expedient suggested, of treating with you separately; for a government hostilely disposed, would not have taken the delicate course which guards its honour, and fulfils its pacific intentions."

The letter wound up with stating that "although the measures of France were no more than the consequence of those of the United States," yet, the intention of the Directory was, that the respective pretensions should be elaborately examined and adjusted. A postcript contained some severe remarks on the measures taken by Congress, of which information had just arrived. Notwithstanding these, however, Talleyrand stated that his government adhered to its disposition to terminate, by a candid negotiation, the differences between the two countries, and confined itself to laying a temporary embargo on American vessels, with a reserve of indemnities should there be occasion for them.

To this Mr. Gerry replied on the 20th, answering specifically, and with considerable pointedness, M. Talleyrand's statements. To the allegations of Mr. Pinckney's want of power to conclude negotiations, he replied, that had he been received, he could have applied for them—a very usual course, and the one which had been most strenuously urged upon himself. The act of rejection, with its accompanying circumstances, could not have failed to wound deeply, the government of the United States. That government had, however, immediately adopted the amicable conduct of sending three envoys extraordinary, with adequate power to effect a reconciliation, and a renewal of commercial intercourse.

The review which followed, of the fate of this embassy, and the course pursued towards himself, both prior to, and after the departure of his colleagues, it is not necessary to repeat. It demonstrated conclusively the faithlessness of Talleyrand's professions, and as satisfactorily, the simplicity which had rendered Mr. Gerry their victim.

In conclusion, he suggested that as the Executive Directory was said to be disposed to terminate the differences by liberal negotiation, a disposition which had always existed on the part of the United States, that "a negotiation, if set on foot free from all propositions of loans, and explanation of speeches, to be held, if necessary, in the city of some neutral nation, and providing for a decision by three or five commissioners, of all points which might not be determined by direct negotiation," would still, in his opinion, meet with success; although, not having authority, he could not offer it as a proposition. A preliminary requisite would, however, be the restraining of the depredations on American commerce in the West Indies, and upon the coasts. To the claim of his good offices as a private citizen, so insidiously made, he properly enough replied, that they should not be wanted to represent truly, all the measures of the French government, and to render successful, such as were adopted to effect a reconciliation. This was all that could be expected from him, and was required by his duty to his country.

To this letter, Talleyrand's reply, made on the 22d, was remarkable enough to be extracted entire.

"Allow me sir, to confine myself to the two last paragraphs of your answer of the 2d of this month, to my letter of the 24th Messidor (July 12). Easy as it may be to rectify those which go before, it would be to enter uselessly into the circle of digressions. It is my duty to feel what, in the state of things you think due to your government; and this consideration would be alone sufficient to stop me, if I set a less value upon conciliation.

You repeat to me, that the government of the United States has always been disposed to terminate, amicably, the differences which subsist between the two republics. This fresh assurance *at a time when hostile demonstrations have just been made, could* not but temper their effect. But let then, a frank, candid, and truly amicable act speedily realize those dispositions. Far from entering into the answers of the President to the addresses which have been presented to him from different parts of the United States, whatsoever they may be, I would fain behold in the expression, nothing but a political expedient. I do not thence judge less favourably of the true intentions which you profess in his name; and I would not have engaged you to warrant the success of the first proof which he will render of them, if the Executive Directory *which was ready to receive you,*

had not made a fixed determination upon the subject. A negotiation may, therefore, be resumed even at Paris, where I flatter myself you have observed nothing but testimonials of esteem, and where every envoy *who shall unite your advantages*, cannot fail to be well received. Moreover, I know not, sir, why you tell me that it would be requisite to lop from this negotiation every preliminary respecting a loan, and explanations on the subject of the speeches delivered. Be pleased to read over again the propositions which I transmitted you on the 30th Prairial; (June 18) they contain all the ideas of the French government; and you will not find in them a word which justifies your recurring to those two questions. An odious intrigue had got possession of them; the dignity of the French government could not permit this mixture; and it did not wish that views as pure as its own should be associated therewith hereafter. As to the preliminary measures which you suggest, sir, the government has already anticipated your desire. By information *which it has just received*, it indeed learns that violences have been committed upon the commerce and citizens of the United States in the West Indies, and on their coasts. Do it the justice to believe, that it needs only to know the facts, to disavow all acts contrary to the laws of the republic, and its own decrees. A remedy is preparing for it, and orders will soon arrive in the West Indies, calculated to cause every thing to return within its just limits, until an amicable arrangement between France and the United States shall re-establish them respectively in the enjoyment of their treaties.

This period, sir, cannot be too near at hand. I do not cease to regret that you should refuse yourself the accelerating of it, by yielding to circumstances, *persuaded as I ever am, that you were fully authorized.*"

On the 26th of July, Mr. Gerry at last left Paris. Talleyrand, the day before his departure, published in the *Redacteur*, his letter of July 12th, the one in which he had charged upon the United States the blame of having created the difficulties, and of bad faith in the attempts made to them. Copies of this paper, which he styled "a pacific manifesto," he sent to each foreign minister, and on the same day, the Dutch minister called on Mr. Gerry, and offered him the mediation of his government, who "had authorized and instructed him on that head;" and asked Mr. Gerry, as the proposal must go to his government, if he would in that case remain at Paris. This Mr. Gerry declined, nor did he encourage the idea of mediation itself. The tender of the mediation of the "Batavian Republic," a mere appendage and dependancy of France, was as gross an affront as had yet been offered to his

understanding, meant only to try whether his departure could not still be delayed. The publication by Talleyrand, of the letter on which it purported to be founded, without Mr. Gerry's reply, or his own subsequent rejoinder, to say the least of it, had, in Mr. Gerry's softened phrase, "an hostile appearance." Failing in this, the vessel in which he was to embark, was delayed, to give an opportunity for yet another manœuvre. An arrêt passed the Directory, and was transmitted to Mr. Gerry at Havre, on the 31st of July, wherein Talleyrand informed him he would find part of the measures which had been announced. The solicitude of the Directory, he added, would not be confined to that. "Neutrals in general, would have reason soon to be convinced of its firm attachment to the principles to which it is as desirous that all the maritime nations might agree. It depended upon the United States in particular, to cause every misunderstanding immediately to disappear between them and the French Republic."

The decree which was thus heralded to the returning envoy, and which he was to bear to his country as an evidence of the sincerity of the Directory, was a document as remarkable as any that had emanated from that fountain head of political falsehood and corruption. Commencing with the preamble, that "information recently received," left no room to doubt that French cruisers had infringed the laws of the republic, relative to cruising and prizes; and that foreigners and pirates "had abused the latitude" allowed in the West Indies, to vessels fitted out for cruising, "in order to cover, with the French flag, their extortions," it decreed:

1st. That no letters should be issued in the colonies, but by the special agents of the Directory themselves, who should not delegate their authority; and should exercise it in favor only of owners of vessels known to themselves; that these should be bound to conform themselves to all

the laws relative to cruising and prizes, and especially to those of 1st October, 1793.

2d. That letters of marque, already issued, "should be considered as not having been done, after the thirtieth day from the publication of the decree in the colonies."

3d. That the agents and deputies in the *neutral possessions*, appointed to decide on the validity of prizes, having an interest in the cruisers, should be recalled.

4th. That the special agents at Cayenne, Guadaloupe, and St. Domingo, should studiously take care that the property of neutrals be respected, and that "they should, in no case, bargain for their cargoes, but by mutual consent, and to the full and entire satisfaction of the contracting parties."

5th. That the special agents, consuls, and others, should cause to be arrested and punished those who contravened the decree.

The report of the Secretary of State, made to the ensuing Congress, which reviewed at length and most ably the whole of these transactions, fully exposed the hypocrisy of this "remedy." It had been by the special agents themselves, and under the *laws* "relative to cruising and prizes," that the enormous outrages complained of had been committed. The very decree of October 1st, 1793, to which, in particular, the owners of privateers were ordered to conform, and which was so ostentatiously paraded as a restriction on abuses, was an act "to determine the mode of dividing prizes made by French vessels on the enemies of the republic;" and its sole restraining clause, was one requiring that owners "should not sell beforehand their eventual share of those prizes." Again it was ordered that the letters of marque should be void in thirty days after publication of the decree in the colonies. The sole object of this was to give the agents a new harvest of fees for issuing new commissions. These agents had before taken care of this; their practice had

been to limit the duration of the commissions; and if captures were made after the expiration of the commissions, instead of declaring them void and restoring the property, they had declared the captors to have no title, and seized the property for their private use. In one case, $200,000 had been paid by an American firm to the special agent of St. Domingo, for the redemption of a single ship. It was further ordered by this remedial decree, that the agents and judicial deputies in the *neutral* possessions, suspected of having an interest in cruisers, should be immediately recalled. But no such agents existed. The prizes carried into the neutral islands, to borrow Col. Pickering's words, "received their doom" from the special agents at Guadaloupe or St. Domingo, who were not subjected to recal, those not being neutral possessions. Nor did this section extend its penalty of recal to judges of the tribunals of commerce in France, who were chiefly merchants; most of them directly or indirectly concerned in privateering, and often interested in the very cases they decided. The last two articles of the decree, which thus strikingly manifested the good faith and amicable intentions of the Directory, enjoined upon VICTOR HUGUES and his accomplices, to "take care" that the property of neutrals should be respected, and to punish those who violated its provisions! And with this egregious mockery was the American government to be gulled.

But this was not all. The embargo laid in July upon American vessels, remained; their crews were confined as captives of war. The prisons of Orleans were filled with Americans, "because they were not possessed of papers to prove that they were not English." It was necessary, in order to keep up appearances of pacific dispositions, to recede in these particulars also. A few days after Mr. Gerry's departure, therefore, the embargo was raised, and orders given for the release of the prisoners, respecting whose detention it was said "the intentions of

the government were very badly understood." Yet even in these steps the Directory could not restrain their habitual insolence. The very preamble of the decree which revoked the embargo, declared it to be done in consideration "that, notwithstanding the hostile manifestations of the government of the United States, which had occasioned a momentary embargo upon their vessels, it must be believed that, *unless abandoned to the passions of the British cabinet*, that government, faithful to the interests of the American nation, would take measures conformable to the pacific dispositions of the French republic, after it should receive a confirmation of them."

Mr. Gerry arrived in the United States on the 1st of October, and was received with open arms by the opposition. His final despatch to the Secretary of State, which accompanied the correspondence, was a lame attempt to justify his conduct and gloss over his failure. The circumstances under which he originally permitted himself to be detained, have been already noticed. The inducements to his subsequent stay, the validity of his defence, the facts on which he based his private representations to Mr. Adams of the intentions and wishes of France, now require consideration; that the measures of the President may hereafter be duly appreciated, and his certificate of the value of Mr. Gerry's services rightly estimated.[a]

It will have been seen that Mr. Gerry, after the arrival of the Sophia, a vessel despatched by the department of State to bring back him and his colleagues, and which carried peremptory instructions, that if not received, or not in treaty with persons duly authorized by the Directory, with full and equal powers, they were to demand their passports and return; as "suspense was ruinous to the essential interests of their country"—lingered in France nearly three months without being received; though

[a] In this review, Col. Pickering's report "on the transactions relating to the United States and France," of January 18th, 1799, furnishes a principal authority.

he himself asserted that he had no powers to treat alone, and refused to treat. During all this time, he was engaged in a controversy with Talleyrand, in which every manner of insult was heaped by that functionary upon himself and his country; in which his credulity was ridiculed, his understanding derided, and even his veracity impugned; a controversy in which his only object seemed to be, to obtain the last word, or to get the better of his adversary in florid professions of the amicable disposition of their respective governments. Conduct of this kind in a national representative, required some sort of apology. Mr. Gerry sought it in his expectation of obtaining from Talleyrand, definite proposals of conciliation and peace. Mr. Adams indulgently found it in a supposed retraction of demands for a loan, and of apologies for his speeches; in the declaration that France did not wish to break the British treaty, and the empty professions of a desire to "negotiate."

Mr. Gerry stated, that "before the arrival of the despatches of the envoys, the minister appeared to him sincere, and anxious to obtain a reconciliation." The grounds upon which he founded his supposition were slight enough. The conduct of the French secretary, before the departure of Mr. Gerry's colleagues has been already reviewed. Up to that time, at least, there had been no evidence of sincerity. What were his subsequent demonstrations? On the 3d of April, addressing Mr. Gerry as "Envoy Extraordinary of the United States," he invited him to *resume* their "reciprocal communications." Mr. Gerry, apprehending, as he says, that it was intended to draw him into negotiations, replied on the next day, that he could only confer informally, and unaccredited; but that every measure in his power should be zealously pursued to restore harmony between the two republics. To this, he received no answer. On the 20th, he again wrote to the minister, urging him to bring forward his own propositions.

Still no answer was deigned him. On the 28th, he sought a personal interview, and was told that Talleyrand could make no propositions, because he did not know the views of the United States. These Mr. Gerry immediately furnished him. He promised in return, a project of a treaty to be delivered in a few days—a promise he did not perform. On the 12th of May, the vessel arrived with instructions, and Mr. Gerry informed him of his intention to return home at once. It was not till the 24th, that he received even a message, and then, only to the effect that France did not wish to break the British treaty. On the 26th, Mr. Gerry obtained another interview, and received the assurance that an envoy should be sent to the United States with the treaty, an assurance which Talleyrand afterwards explained away. No renunciations of inadmissible demands, had yet been made. Six weeks had been spent without even an overture, and this was what Mr. Gerry imagined to be appearances of sincerity on the part of the French Minister.

It was not until after the reception of the despatches, when Mr. Gerry appeared determined, at length, to leave France, that the slightest disposition even to a negotiation, was manifested. The publication of those papers, so far from causing a discontinuance of any friendly communications previously established, for the first time, compelled some show of anxiety towards such an object. Still, the conduct of Talleyrand was consistent. He knew his man. He knew the weakness, the morbid fears, the irresolution of the envoy he had selected for his "greater impartiality" and his greater credulity. He detained him three months longer, occasionally baiting him with a hope; at other times entangling him in an argument, or holding over him a threat; never once offering a project, or bringing forward a proposition that could be met.

From the details that have here been given, Col. Pickering's inference was irresistible, "that by the exclusive

attentions of the minister to Mr. Gerry, the French government intended to excite the jealousy of his colleagues, to promote dissensions between them, to separate him from them, and induce him to remain in France, expecting either to seduce him into a formal negotiation of a treaty on terms exclusively advantageous to France, and injurious and dishonorable to the United States; or, failing in this, to hold the United States in suspense, and prevent any measures for their security in the event of a war; while they, amused and deluded by warm, but empty professions of the pacific views and wishes of France, and by informal conferences, might wait in spiritless torpor, hoping for a peaceful result; and that by this course of proceeding, this ostentatious display of zeal to adjust differences, and restore harmony, and a friendly intercourse between the United States and France, the French government intended in case of a rupture, to throw the blame on the former."

But there is further evidence of the "sincerity" of Talleyrand, under Mr. Gerry's own hand. A letter from the French Secretary to Mr. Pichon, which will be noticed in a succeeding chapter, was forwarded to the American government during this fall, and comunicated to Congress. That letter contained some satirical allusions to Mr. Gerry, which, though passed over at the time, afterwards, on its incidental republication by Mr. Adams, *ten years after*, provoked a reply, which forms so amusing a contrast to his representations on the subject at this time, that a portion of it is here extracted.

In reply to an assertion of Talleyrand's, that he had used his endeavors to enter on a negotiation with Mr. Gerry, "in the spirit of substituting calmness for passion, and confidence for suspicion, from a conviction that distrust alone was the cause of the misunderstanding between the two republics," the latter says:

"Admitting the fact, you will readily grant, sir, that the *distrust* on the part of the United States, existed long before the date of my commission to negotiate with France, and resulted from a series of measures on her part, highly injurious, and as the United States conceived, unjust towards them. And have not the despatches of the three envoys to their government proved to a demonstration, that the dark and crooked policy of negotiating with them by secret agents, whom you recognized to me as having acted under your authority, increased that distrust, and finally defeated the negotiation.' * * * 'After the rupture of the negotiation, by the dismission of my colleagues, and the publication throughout all Europe of our despatches, then indeed you 'used,' and it might be stated, you repeated 'your endeavours to enter on a negotiation with myself;' not because it was practicable, or promising success, but because it was necessary to allay the indignation of the French nation and Directory against yourself, as the sole cause of the rupture of the negotiation with the three envoys. Can these facts, sir, be controverted? Are they not fully proved by the despatches of the envoys, and by your correspondence with myself?

Your letter next states, 'that your correspondence with Mr. Gerry, until the day of his departure, is a curious monument of advances on your part, and of evasions on his.' That it is a curious monument of advances, or a monument of curious advances on your part, made with a conviction of the impossibility of their being accepted by him, is readily admitted; and permit him to enquire, whether you urged him to enter on a negotiation which was warranted by, or one which was directly repugnant to the powers given him by his government? You advocated his right to treat separately from his colleagues, because the government of the United States had commissioned 'jointly and severally, these Envoys Extraordinary and Ministers Plenipotentiary, of whom he was one, to that with the French republic.' Had his colleagues, by any other means than the agency of that republic, been disqualified from acting, then indeed he would have had a separate authority, and would have exercised it; but, sir, your political abilities require no arguments to prove, that a separate power was not by his commission given to one envoy to treat, when two others were by the French government officially charged with misconduct, and dismissed from the embassy. If solid reasons did actually exist for the dismission, was it not incumbent on the French Directory to have stated them to the government of the United States, that the latter might have corrected the evil. Was it your object, by urging that envoy to negotiate separately, to induce him to a measure which would have terminated beneficially to the two republics, and honourably to the negotiators, or to one, which by his admitting the rights of the French government to select one of the three envoys to proceed in the negotiation, would have sacrificed, on his part, the rights, honour, and independence of his government, and disgraced himself? Let him enquire further, sir, whether you was authorized by the government of the United States (for your own government could not authorize you) to construe for their minister the powers which they had delegated to him? Was it not, to say the least, indelicate to make the attempt, and unjust to refuse him the right of being governed in his construction by his own judgment? Could he have met the advances, of which you boast, with a due regard to the

rights and independence of his country, or to his own honour? Most assuredly he could not, and for not meeting them, has he incurred your censure. As to the evasions with which you charge him, they were refusals, and you so considered them, to close with your propositions. Your letter next states, 'that it is wrong to suppose you confined yourself to vague protestations, that among that series of official letters, which will doubtless be published at Philadelphia, you select one wherein he (Mr. Pichon) will see that you make very positive propositions, without any mixture of preliminary conditions. That this letter was followed by these notes upon the articles to be discussed, and that you intended to complete the others in this manner, if Mr. Gerry had not refused an answer thereto.' But let any candid man read our correspondence, and declare if he can, that your protestations were not altogether vague from the beginning to the end—did you not know before the publication of the despatches to the envoys, that superior to pretexts, the envoy you had selected to negotiate, declared himself for the reasons herein stated, unauthorized to treat. Did you not, in consequence of those reasons, and from conviction of their truth, pledge yourself to prepare *informally* with him, a treaty, and to send a minister to the American government for a ratification of it. And did you not after the promulgation of the despatches, depart from the arrangements, and renew propositions long before made to, and rejected by him for treating separately? If then, sir, your protestations were not vague, why did you not in the informal mode agreed on, discuss fairly and substantially, the important subjects of the negotiation? Why, in lieu thereof, did you propose a formal epistolary negotiation, and even in this confine yourself to the correction of a consular convention, which was soon to expire? Why did you not enter on the most important object, the project of a commercial treaty? Of what use, without such a treaty was a consular convention? Your beginning with the smallest object of the negotiation, and indeed your whole conduct in that discussion amounted in my mind to proof positive, that you was governed by no motive or expectation of attaining the important objects of the negotiation, but that your sole view, as before stated, was to amuse the French government and nation, and to divert from yourself their indignation, resulting from the rupture of the negotiation. Your letter then proceeds: 'when it became necessary to abandon the idea of treating with that envoy, *who thought it important only to know how a negotiation might thereafter be resumed*, I gave him the most solemn assurances concerning the reception that a new plenipotentiary would receive.' But did that envoy think it important only to know how a negotiation might thereafter be resumed? You know, sir, he did not. In his letters to yourself, of the 4th and 20th of April, 1798, the first being before, and the last subsequent to, the departure from Paris of one of his colleagues, he early proposed to 'confer with you informally, and unaccredited, on any subject respecting his mission, and to communicate to the government of the United States, the result of such conferences.' He gave you agreeably to your request, the outlines of such a treaty as he thought would have been acceptable to his government; and repeatedly urge you to come forward on your part, with propositions 'for terminating all differences; for the restoration of harmony and friendship; and for the re-establishment of commerce between

the United States and France;' and to effect these objects, he assured you of his immediate and cheerful coöperation. Look at your correspondence with him, which you appear to have forgotten, and you will there find a record of these and numerous other facts, proving his unremitted exertions while in France, to establish a commercial treaty, and restore harmony between the two republics. Is it not then much to be regretted, sir, that you have hazarded such unfounded assertions and produced the painful necessity of detecting them?

Your letter then proceeds to state, 'that you wished to encourage Mr. Gerry by testimonies of regard that his good intentions merited.' 'Although you could not dissemble that he wanted decision, at a moment when he might easily have adjusted every thing. That it does not thence follow that you designated him; that you will even avow that you think him too irresolute to be fit to hasten the conclusion of an affair of this kind.' 'Testimonies of regard,' sir, in negotiations, inspire neither courage or confidence; they are seldom successfully practised and always illusive; and had you manifested such to him, he must have candidly declared to you, '*timeo danaos et dona ferentes.*' His primary object was to promote on principles of reciprocity, the honour, interest, and welfare of his country. In the pursuit of these you was fully convinced that he was above encouragement, and that all your impediments and discouragements were of no avail.

That he 'wanted decision' *to close with your degrading propositions*, is conceded; it is demonstrated by the correspondence you refer to; and it therein appears also that he was 'irresolute' *to do wrong;* an irresolution which he frankly avows, which he prefers infinitely to 'diplomatic skill,' or diplomatic artifice; and which, permit him, sir, from a long experience and full conviction, that in public as well as in private concerns, 'honesty is the best policy,' to recommend to your consideration and patronage."[a]

The idea of answering such a letter after so great a lapse from its first appearance, when Talleyrand's political position too, had so completely changed, was a novel one. As an effort at self vindication it appears to shift without improving Mr. Gerry's position, and perhaps for this reason was not noticed by his biographer, among the other testimonials in his favor.[b]

The feelings that at this time so honorably swelled in the bosoms of the people met no response from the anti-

[a] Letter of July, 1809, in Boston Patriot.

[b] See Austin's Life of Gerry, II., Ch. vi. vii. viii.

federal leaders. The letters of their chief, Mr. Jefferson, which cannot be considered as furnishing an unjust index to the sentiments of his followers, manifest no lofty indignation at the base attempt of Talleyrand to render the country tributary to France, no grief at its humiliating position, no magnanimous sacrifice of personal or political enmity at the shrine of national honour; not even an expressed wish for a reparation of her injuries. Their tenor shows that but one idea possessed his mind, the advantage to himself and his party to be derived from the danger of the government. When the President first announced to Congress the absolute failure of the mission, and the subject of permitting the merchant vessels to arm was under discussion; writing to his friend Madison,[a] he suggested that in case the opposition had a majority on that question, Congress should pass a legislative in place of the executive prohibition, which had been withdrawn. "If that," he adds, "should fail in the Senate, it would heap coals of fire on their heads." Another suggestion was, that as "to do nothing and to give time was everything with them, they should come to a resolution of adjournment, in order to go home and consult their constituents in the great crisis of American affairs then existing:" and one avowed object of this course was to obtain sufficient delay "to allow the descent on England to have its effect *here* as well as there." When the despatches were published, and before the impotent attempt of Talleyrand to cast discredit on the authenticity of the propositions was known, he intimated no doubt of their truth; but in a letter to the same person[b] threw the failure of the negotiations on the President's speech, and unblushingly asserted that "no difficulty was expressed towards an adjustment of all difficulties and misunderstandings, or even ultimately a payment for spoliations, if the insult from our

[a] Jefferson's Writings, III. 380, March 21, 1798. [b] Ibid, III. 385, April 6, 1798.

Executive should be first wiped away." Afterwards, taking his cue from that minister, he pretended to consider the agents of Talleyrand as swindlers, coolly overlooking the fact that Talleyrand had himself personally endorsed those agents, and with his own mouth repeated their proposals. Thus in January following, in a very suggestive letter to Mr. Gerry,[a] he says that the people, "unexperienced in such matters did not permit themselves even to suspect that the turpitude of swindlers might mingle itself unobserved, and give its own hue to the communications of the French government, of whose participation there was neither proof nor probability:"—and to Mr. Pendleton,[b] "Art and industry have certainly wrought out of this business a wonderful effect on the people. Yet they have been astonished more than they have understood it, and now that Gerry's correspondence comes out clearing the French government of that turpitude, and showing them sincere in their dispositions for peace, not wishing us to break the British treaty, and willing to arrange a liberal one with us, the people will be disposed to suspect they have been duped." It was hardly fair towards Mr. Gerry, whose services were magnified in the opinion of Mr. Adams by his success in thwarting this intrigue, to attribute to him the merit of having exposed its non-existence. Even Mr. Jefferson's biographer, who on all occasions has attempted to gloss over the selfish and interested policy of his subject, with regret admits his want of honesty on this point. After stating that "the leaders of the opposition and the ardent votaries of the French revolution felt nothing but vexation and disappointment at the triumph of their adversaries, and industriously sought for some ground to throw on our envoys the blame of their own failure," that "they devised various excuses for the seeming venality of the French directors and their agents; at-

[a] Jefferson's Writings, III. 407, January 26, 1799.

[b] Ibid, III. 414, January 29, 1799.

tributed their unwillingness to negotiate to a proper sense of the insult received from the President in his first speech to Congress;" that "some even went so far as to assert that the facts stated by the envoys were mere fabrications ingeniously contrived to effectuate the crooked policy of their employers," he concludes, "and it is painful to see that Mr. Jefferson, whose experience of the illiberality and injustice of his adversaries towards himself ought to have taught him to despise these vulgar clamors and suspicions, if he did not go to the same lengths, at least gave them countenance and favour." And still further, in referring to the absurd charge that the federalists contemplated a hereditary Senate and Executive, he says, "it must be admitted that if Mr. Jefferson experienced the most virulent hatred and the most unfounded calumny of his adversaries, he was occasionally not far behind them in credulity and injustice, and that he did not hesitate to attribute to them purposes which no honest mind could form and no rational mind would entertain."[a]

With these admissions, it may well be doubted whether Mr. Jefferson did experience much illiberality in the opinions formed of him by his adversaries, or whether their charge of political dishonesty was an unfounded calumny. An ever-prevalent hope of making popular capital for himself out of the condition of his country in fact, pervades his correspondence. "The fever," he says to one friend, "cannot last: war, land tax, and stamp tax must cool its ardor."[b] "The purse of the people," he remarks to another,[c] "is the real seat of sensibility." The very measures which he so fully condemned he did not regret, but with his finger on the public pulse calculated the moment when the supposed dying patient would call for a change of physicians. The truth is, that throughout the

[a] Tucker's Life of Jefferson, II. 43.
[b] To James Lewis, jr., May 9, 1798, Jefferson's Writings, III. 390.
[c] To Hamilton Rowan, Sept. 26, 1798, Jefferson's Writings, III. 402.

whole of Mr. Jefferson's correspondence, it would be difficult to find one patriotic or national sentiment advocated or put forth upon disinterested or high-minded grounds. Selfishness, falsehood, and calumny, are the ever-distinguishing marks of his private and confidential communications to his personal and intimate friends. If by chance he advocated the right, it was through motives which made it contemptible. Thus in answer to Senator Taylor, who had maintained "that it was not unwise now to estimate the separate mass of Virginia and North Carolina, with a view to their separate existence"—a direct proposition for a dissolution of the Union—the only motive he found to combat the measure was, that as the south must have somebody to quarrel with, he would rather keep New England for that purpose than see its bickerings transferred to others.[a]

An instance of the patriotism of those who, under Mr. Jefferson, in this crisis, stood in opposition to their government and their country, is to be found in a letter to that gentleman from Mr. Skipwith, the American Consul General at Paris. This letter is sufficiently remarkable to preserve. It is one of those which came under cover from Talleyrand, and were surrendered to the Executive by William Lee, as already mentioned, and which furnished the conclusive proofs of the agency of American Jacobins there, in instigating the measures of the Directory.

FULWAR SKIPWITH TO THOMAS JEFFERSON.

PARIS, 17 March, 1798.

My Dear Sir,

I leave to Mr. Barlow, who writes to you by Mr. Lee, the confidential bearer of his and this letter, to trace the rise and progress of the present alarming indisposition of this government towards ours; but being more frightened than perhaps my friend Mr. Barlow is at the dangers which threaten the peace and safety of my country, I am irresistibly led to express my fears to the man of my government who I deem the best capacitated to appreciate their value, being well

[a] Jefferson's Writings, III. 393, June 1, 1798.

persuaded that he will not suspect the purity of the motive which induced me to hazard them.

Until the issue of the late election of President of the United States was known to the government here, its doubts, jealousies, and prejudices had been levelled against individuals of our administration only, and not against the government or the nation at large. And surely had there been a desire in our cabinet to stand well with France revolutionized, or had pride and ignorance given place to the light of reason and of impartial information, a becoming and *acceptable* atonement would have been devised and offered to the French nation, for the infatuated prostitution which a misguided President and an intriguing junto had made at the foot of the British throne, of what we sacredly owed to humanity, to character, to liberty, and to France. But to return to the important event of the last election, which gave a new President to the United States.

The moment the man was announced to this government, they thought they read in his character, that of his nation; or in other words, they saw in the enemy of their revolution, and in the stiff-necked bigot of aristocracy, the perverse blindness of the American nation; and from that instant, their deportment and conduct towards us assumed, and continues more and more to evidence marks of an inimical, if not an inveterate and extensive plan of hostilities against our country, and which may ere long, threaten all that can happen to us as a nation. Yes sir, the moment is come, that I see the fortunes, nay, independence of my country at hazard, and in the hands of the most gigantic nation on earth; my solicitude, therefore, while yet I think myself a free American, waives discretion, and must speak.

France, with almost the whole continent of Europe at her feet, will soon reduce to the same humble posture, the power who alone supports her enemies in America; and as I cannot attribute to her so great a portion of magnanimity, as to suppose, that when she shall consummate the act, she will forego the occasion of satisfying her vengeance; and especially, as she may gratify herself with the prospect of doing it with the greatest commercial advantages and aggrandizement, or even that she may league with the very power that now caresses us; so do I see every day, the cloud of calamity approaching nearer the peaceful shores of our common country. Already, the language of planting new colonies upon the borders of the Mississippi, is the language of Frenchmen here; and if I had not been apprised of the fact, I should, without any claim to foresight, know that Spain is disposed to cede her possessions upon that river, whenever the Directory shall require it. It may be also important for the American Cabinet to recollect, what possibly they may have forgotten, that the country over whom they preside the constituted guardians, has its weak parts. Their western people, the savages upon their frontiers, and the slaves that swarm within their bosom, are subjects whose situations do not, and whose uses would not, escape the observation of this government in case of war. But war may be prevented, and our country saved, if we can come forward and discharge the debt which our blunderers have brought upon us, and which the strength and fortunes of France now lay claim to. 'Tis to confess some of our errors—to lay their sins heavily upon the shoulders of a few persons who have perpetrated them; to modify or break the Eng-

lish treaty with Jay, and to lend France as much money, should she ask it, as she lent us in the hour of distress. I am aware that the pride of some, the knavery of many, and the ignorance of others, would pretend to execrate the act; but imperious necessity commands, and the genius of republican liberty would sanction it.

The blunders of our present, as well as our late administration, must, by this time, appear in large characters, from one end of our continent to the other. In Europe they are read almost without eye-sight. If, therefore, I touch upon one of them, 'tis because it forms in this theatre, the actual scene of their political, dramatical action. When the news came that Gen. Pinckney was ordered to retake his post at Paris, and that Gen. Marshall, one of the declaiming apostles of Jay's treaty, was to support him, this government, I believe, suspected that their mission was virtually destined for the court of Louis XVIII., and not for the French republic; for Mr. Adams, when he composed it, did not dream of the event of the 18th Brumaire, but in the language of the Gazette, which I fancy publishes his official acts, he must have thought *the revolutionary and piratical banditti* of France near its dissolution. Be this as it may, no body expected, from the nomination of those two persons, that concord with the *French Republic*, was their object, and their deportment since their arrival, added to the President's ill-judged, and ill-timed speech at the opening of your present session of Congress, have served powerfully, to confirm that impression. Every body here remarks, what those two gentlemen do not attempt to conceal, that their doors are open only to the intriguants against, and enemies of the present government; and that they are among the first persons to hear and buzz about the tales of new coalitions, and counter revolutions. The name of a true supporter of the French revolution is as grating to their ears, as his sight is disgusting to their eyes. From their arrival, their attentions and caresses have been confined to the families of the proscribed and of the transported; and their closest counsellor seems to be Beaumarchais, of whose character you, I know, want no information.

When we heard that Mr. Gerry was nominated to the mission, the Directory were pleased, and the patriots in Paris, of both countries, were delighted in the idea of seeing here one of the tried patriots of '75, and one of the remaining republican chiefs of the American States; but painful it is to me to add, that we beheld him moving here but as the shadow of what we presumed he was; and we much fear, that the longer he stays, the more apt will public opinion be to ascribe the neutrality of his character to the feebleness of his diplomatic talents. We learn in secret whispers from this good old gentleman, (for I venerate the chastity of his moral character, while I regret he has not courage to shape a political course congenial to the crisis here) that he has a hard and cruel task to think and act with his two associates, and that were he alone, he would be able to stop the frightful breach between the two countries. But I am apprehensive that his paralytic mind would prove too weak to invent, and his arm too feeble to apply the remedy which the disease demands. In fact, no one but a pronounced republican, and friend of the French revolution, and a man unfettered by the forms and school-readings of Mr. Adams and Pickering, could stand a chance to heal the wounds which are now bleeding.

In regard to both the internal and external situation of this republic, let not our governors any longer entertain the delusive hope of a decline in its power, or its destinies. The late conquest of a part of Switzerland, leaves to France the only inlet into her country which remained open to a foreign foe; and I suspect, at last, teaches neighbouring despots that they are yet to die under the increasing rays of representative government.

The interior of the republic exhibits perfect peace and plenty, and I believe contains no element that can shake its government, on the contrary, all that can be wanted to increase its strength. Those innumerable insects which so many ages of monarch-craft and priestcraft had engendered and left upon the soil, are either returned to the muck of their first state of non-existence, or are working through the digestive passages of its bowels, in order that they may regenerate among the fair growth of its creation. Or, to speak without a figure, the disaffected Frenchmen themselves are growing proud of the unexampled achievements and grandeur of their country, and are daily becoming reconciled to its change of government.

The certainty of this conveyance has induced me to discharge my mind of what I thought I owed to my country. That you will treat both myself and what I have thrown upon paper, with indulgence, I have no doubt.

F. S.

Melancholy indeed, is the condition of that nation in which sentiments like these exist, and when those who hold, can venture to avow them. For the honor of the people, it is hoped that they were confined to the few demagogues whose selfish ambition had hitherto led them, even to sacrifice national honor to their individual aggrandizement; that they penetrated not into the People, and found no refuge in the mass. But what meed of contempt is not to be awarded to the man who, among his political friends, found his only apology in the imbecility of mind which deprived him of the courage, while it left active the will, to betray his country!

The writer of the above letter, it deserves mention, was, on Mr. Jefferson's accession to the Presidency, appointed Commercial agent at Paris.

Both parties, during the recess of Congress, rapidly organized themselves to support or attack the conduct of the administration. The plan of the opposition was concerted between Mr. Jefferson, Mr. Madison, and a few other

leaders. The alien and sedition acts were, of course, prominent points of attack. Petitions for their repeal, and inflammatory publications concerning them, were actively circulated; the few infamous characters, against whom the last was enforced, were exalted into martyrs. The excise and stamp acts also furnished materials, and the unpopularity of their names contributed to the excitement. Standing armies, navies, and taxation, were the war cries with which the anti-federalists now hoped to succeed. Another subject, much harped upon by the newspapers, was the number of defalcations which had recently occurred. These had, in spite of every exertion, been numerous, at least for that day. The deficiency of compensation to officers of the revenue; the consequent difficulty of procuring men of standing and character in the community to execute their duties, had, in great measure, occasioned this. Other causes were the want of compulsory powers to enforce accountability to the treasury, and the ill arrangement of some of the later departments. The subject had been frequently urged upon Congress, but as yet without success. The offenders, to use Wolcott's own language, had been dismissed without mercy, and prosecutions were rigidly conducted, but the evil was in the system itself. The amount ultimately lost by the government was, through the vigilance of the Secretary, much less than was at first apprehended; but the existence of any defalcations, however insignificant, and as compared with those of recent years, they really were so, afforded capital to the opponents of the government.

But the most powerful influence which was brought to bear upon the national councils, and upon public opinion, was that of the State Legislatures. In accordance with this system, the resolutions so well known as the Virginia resolutions of 1798, were prepared by Mr. Madison; and those introduced into and adopted by the Legislature of Kentucky, by Mr. Jefferson. In these an appeal was

made to the other states for their concurrence in opinion, and coöperation in maintaining it. It is foreign to the purpose of this work, to discuss the correctness of the views of the constitution, set forth in these celebrated documents; nor would it be of use. They have been, and in all probability will ever continue, standing subjects of political controversy. On two memorable occasions since their promulgation, their assertion has threatened the existence of the Union; and on one from a quarter where they were originally repudiated. Their doctrine may be embodied in a single sentence from a subsequent and kindred document by Mr. Nicholas; "that the several states who formed that instrument, being sovereign and independent, have the unquestionable right to judge of its infraction; and that a nullification, by those sovereignties, of all unauthorized acts, done under color of that instrument, is the rightful remedy."

Meantime the preparations for levying the additional regiments went on, though, owing to many causes, slowly. The total want of preparation in the country for self defence, was fully exhibited in the difficulty with which the most necessary articles for military use were obtained. The occasion, however, afforded an opportunity for commencing a provision for future emergencies, and in this light at least was most beneficial.

The first point to be considered was the state of the finances. The Secretary of War, therefore, on the 14th November, addressed Wolcott on the subject, and on the 16th received a statement, of which the following is an abstract:

The total amount of the revenues of the United States were estimated at - - - - - - -	$8,011,897 84
The permanent expenditures, exclusive of the military and naval establishment, but inclusive of the debt, - -	5,034,821 67
Leaving to be applied to the support of the military and naval establishments, and as a fund for the payment of interest on, and the reimbursement of the new loans, - - -	$2,977,076 17

This was, however, an arbitrary statement, and was subject to some contingencies. There was, also, to be considered among the resources of the treasury, the product of the direct tax of $2,000,000, to anticipate which, by temporary loans, power had been given; and the sum which might be obtained, in consequence of the act of July 15, authorizing a permanent loan of $5,000,000. On these subjects he said:

"As great progress has been made in the preliminary measures for collecting the direct tax, as was to have been expected; and nothing has, as yet, occurred to render it improbable that a considerable part of the tax, at least, will be received into the treasury in the course of the ensuing year. It is, moreover, certain that monies can be obtained on loan, though on terms less favourable than they have been heretofore effected. It is believed, however, that the increased expense expected to attend new loans, ought not to be attributed to a distrust of public credit; but solely to the high value of money at the present time."

From these resources, however, the Secretary said considerable deductions would be required, for fulfilling the British treaty, and for unsatisfied appropriations. This state of affairs, it was considered, would not necessarily impede the recruiting of the additional regiments; and it was concluded that, unless insuperable objections did oppose, the force should at once be raised. Most satisfactory reasons for the decision, are assigned in Washington's letter of December 13th, to the Secretary of War.[a] Preparations were accordingly made by Wolcott, for raising the loan of $5,000,000. It was found that, in consequence of the great demand for money, the amount could not be raised on a par stock for less than eight per cent.; and it was justly considered as a maxim of finance, that where money was wanted, it was better to borrow the sum required, at a higher rate than at a lower one with a deduction from the principal. The following letter to Mr. Higginson, exhibits the views entertained on this subject by the Secretary.

[a] Vide Sparks' Writings of Washington, XI. 346.

TO STEPHEN HIGGINSON.

TREASURY DEPARTMENT, Nov. 21st, 1798.

* * * * The demands for the military and naval services will render it necessary to borrow money on permanent loans. A liberal authority, to the extent of $5,000,000, is given by an act passed on the 16th of July, 1798. Indeed, the law contains no positive limitation, except that the stock cannot be made irredeemable for a longer term than fifteen years. As I am now to engage in a new business, in which a failure would be ruinous to the public service, and as I might encounter many real difficulties and much prejudice, I shall need the strenuous support of all men of property and friends of the government.

The principal systems of borrowing, or what in relation to the present subject is the same thing, *lending* money, which have hitherto appeared, are those of England and Holland, and these have been governed by opposite maxims.

The Dutch being lenders, have preferred to place their money at interest on temporary loans, reimbursable at periods from ten to fifteen years. The effect of this system has been to give the Dutch constantly the command of the highest rate of interest; to make Holland the great market for money; and to subject borrowers, after short periods, to the payment of new premiums, and to the repeated charges of agency.

The policy of the English system has hitherto been such, as would give to the government the immediate command of the greatest capital for the least annuity. They borrow, therefore, generally upon a three per cent. stock, or at a rate below the common market value of money; thus presenting to the lenders, in time of war, the prospect of a great increase of capital from the rise of stock in time of peace, and thus abandoning the idea of a direct reimbursement of the nominal capitals of their public debt. Indeed, the modern way of estimating the public debt of Great Britain, is by a comparison of what is called the public annuity, with the gross amount of the national income; and upon the hypothesis that the national resources have increased in a ratio exceeding that of the public annuity, it is alledged that the national incumbrances are less burdensome now, than at the commencement of the present war; and, of course, that the ability of the government to command money has increased.

It is, however believed, that the American government and people will not readily abandon their system of extinguishing the public debt by direct reimbursements, and that they will estimate the increase of debt by the accumulation of funded capital, and that public opinion on this subject cannot be offended with safety, or even propriety.

If, as I presume is the case, money ought to be raised in that mode only, which will least accumulate capital, and of course most favour a system of future reimbursement, the following plan has appeared to me most eligible.

To create a stock bearing eight per cent. interest per annum, payable quarterly, irredeemable for five years, and redeemable afterwards at the pleasure of the government.

It is presumed that such a stock would at least, command money at par. That

capitalists would consider five years interest at eight per centum, as a premium fully equal to what can be otherwise obtained without risque, especially accompanied with the resulting security, of having the capital returned at the end of that time, or continued on loan, at the highest rate of interest.

The permanent revenues which can be pledged, are of unquestionable solidity, and may be computed till the end of 1800, at three millions of dollars, and afterwards, at two millions of dollars per annum.

I have to request that you would freely communicate your sentiments of this plan, or any other which may occur to your mind as being more eligible, and ascertain, without making the affair too public, whether I may rely upon a combined effort to support the credit of such a loan, as, after a consideration of circumstances, it shall be determined to propose. Though I have suggested a proposition for consideration, yet, you will consider the whole subject open for discussion, both in respect to the general principle, and the subordinate details.

During the months of November and December, Washington, with Hamilton and Pinckney, were at the seat of government, concerting the arrangements for raising and organizing men, and these were, in this winter, carried into effect. It may not be improper to mention, that the talents of Gen. Hamilton, as exhibited at this period, and his bold, and comprehensive views of military affairs, justified the preference of Washington; and were considered as equalling those he had displayed while directing the finances of the country.

There is one fact worth recording, which illustrates the spirit of the self-styled "republican" party. The BLACK COCKADE, handed down to our day as a badge of infamy and disgrace, was the one designated by Washington, to mark the troops levied for the defence of the country against foreign invasion, and servile war. Every exertion was indeed used by these patriots, to bring odium upon the army. It was asserted by the Jacobin press, that the design of all these warlike preparations was the suppression or intimidation of their party. A kind of journal, entitled the "Cannibal's Progress," was published to chronicle offences alleged against the troops; and the fact is known, that when the new regiments were officered,

endeavors were made by the anti-federalists, to obtain commissions for the purpose of creating disaffection among the soldiers.[a] The wearing of the tri-colored cockade in the streets of our cities, was a common occurrence.

[a] Vide Washington to James McHenry, Sparks, XI. p. 316.

CHAPTER III.

FIFTH CONGRESS—~~SECOND~~ 3d SESSION.

FROM THE PRESIDENT.

QUINCY, Oct. 10, 1798.

Sir,

It is time to consider whether it will be prudent for Congress to meet in Philadelphia, and also what communications and recommendations will be necessary in the address to both Houses. I request you to turn your thoughts upon these subjects, and write me your opinions as early as may be. I have the honour to be, sir, your most obedient,

JOHN ADAMS.

TO THE PRESIDENT.

November, 1798.

The Secretary of the Treasury, in obedience to the command of the President of the United States, respectfully submits the following observations.

It is conceived that it will be natural, and very proper for the President, in the beginning of his address, to advert to the deplorable situation to which several of our principal cities have been reduced by contagious, or epidemic sickness, during the last season; and when it is considered that similar diseases have successively appeared in different places—that the loss of thousands of lives, the sacrifice of time and property, and the stagnation of public and private business, are evils of immense magnitude, which deeply affect the national interests, it may be proper to invite the legislature to examine the expediency of establishing suitable regulations in aid of those provided by the respective States for investigating the causes, arresting the progress, or mitigating the effects of like calamities in future.

It will probably be asserted by some, that Congress have no constitutional power to legislate on a subject of this kind; but it is presumed that all objections of this nature may be refuted; and while the health-laws of the respective States proceed upon the supposition that contagious sickness may be communicated by the channels of commercial intercourse, there seems to be a necessity that Congress

who alone can regulate trade, should frame a system which, while it may tend to secure the general health, may be compatible with the interests of commerce, and the safety of the revenue.

The state of our foreign relations, particularly with France, being a subject of the first importance, will of course constitute a principal topic of the address.

It is believed that France has no sincere disposition, and it is questioned whether she possesses the ability, to maintain any engagements upon which the United States can rely with confidence and tranquillity; though there appears to be an unwillingness to *open rupture*, yet there exist no symptoms of a desire for *real peace;* the system of self-aggrandizement at the expense of every nation within her power, without regard to the principles of justice, or the most solemn engagements, still continues to be enforced; it may therefore be presumed, that her treatment of us will be governed, not by present professions, but by the views which she may from time to time, take of her own interests; we can only perceive in her last acts, either a vindication of ancient controversies, or shameless pretexts for the gratification of unbounded ambition. Common prudence, therefore, requires of us, to see in the pacific overtures of such a nation, nothing more than an insidious design to foster divisions in our country, and unnerve the vigour of our councils, and measures of defence. The conditions, views, and policy of the United States, are, in every respect, opposite to those of France; we have no national ambition which cannot be best gratified by being left to develope the resources which we possess. The great object of the United States, is therefore, to obtain a secure peace with all nations. Having been injured by France, having sought reparation without success, and having no confidence in the equity of her government, a system has been adopted, of which the following are the principles:

1st. To arm internally, and otherwise provide against invasion.

2nd. To desist from all commercial or political intercourse.

3rd. To defend our commerce by force, and destroy the means of annoyance employed by France.

The situation of the United States in respect to France, may be considered as anomalous. We cannot strictly be said to be either at peace, or in a state of war. We are as much at *peace* as is safe, or indeed possible, considering the diversity of the views and characters of the American and French people. We have not formally declared *war*, because we do not wish to conquer any of the dominions of France, and because she possesses no commerce or property upon which we can make reprisals.

This situation is attended with advantages and disadvantages, which require consideration.

The *advantages* are, that by abstaining from any and every degree of hostility, not required by some present and immediate interest, public opinion is consulted, and its favours secured; responsibility for misfortunes is diminished; odium is accumulated upon France, not only in America, but through the world; and thus, the energy of her power and influence are diminished.

The *disadvantages* of our situation are, that until war is declared, there will be constantly some danger that the intrigues of France will be successful in pro-

ducing a revolution of public opinion, which may compel a premature and dangerous accommodation, upon which no reliance can be placed; that her measures will continue to be justified, or at least palliated, while those of the government will be misrepresented and censured; that our system of defence will be exposed to be weakened by proposals for delusive negotiations; and generally, that by continuing in a state which cannot be defined as being either peace or war, the government will be deprived of those rights and powers, both with respect to the domestic partisans of France, and neutral nations, which would result from an open and avowed state of hostility.

There is, moreover, another circumstance, which must be deemed an advantage or disadvantage incident to our situation, according to the opinion which may be formed, respecting the expediency or inexpediency of an alliance with Great Britain. Of the practicability of forming such an alliance there can be little doubt, and to attain this object, a declared state of war with France is necessary, or, at least, would be a resulting consequence. The expediency of such an alliance is, however, diminished by the recent reduction of the French marine and by the prospect of other disasters, which threaten the power and influence of that nation in Europe, and which of course lessen her ability to invade the United States.

The result of the foregoing reflections is, that a declaration of war, considering the state of public opinion and other circumstances, is inexpedient and ought not to be recommended; that it is the true policy of the government to retain its present position, to invigorate the system of defence, to baffle skill by skill, to pre-occupy the ground which France has attempted to take, and which, being seized by her, would serve as the rallying point of opposition to the government. As France continues to annoy us, and at the same time to profess friendly sentiments and intentions, we ought to continue our resistance, offering at the same time, in a dignified manner, to put the sincerity of her declarations to the test. By avoiding all inconsistency and preserving the confidence which has been gained, by choosing the situation in which to receive an attack, or from which to repel intrigues, and by compelling France either to desist from her present plan, or in the pursuit to make reparation for the wounded honour of the United States, and, moreover, by a firm confidence in the moral sense of the American people, it is believed that all difficulties may be surmounted. If the principles before mentioned shall be approved, the following is deemed a proper style for this part of the address:

"The course of the transactions between the United States and France, which have come to my knowledge during your recess, will be seen in a communication which by my direction will be laid before you from the Department of State. This will confirm to you the ultimate failure of the measures which were taken by this government towards an amicable adjustment of differences. You will at the same time perceive that the French government now appears solicitous to impress the opinion that it is averse from rupture with this country, and that it has, in a qualified manner, declared itself willing to receive a new minister from us for restoring a good understanding.

It is unfortunate for professions of this kind that they are accompanied with the intimation of a right to pronounce upon the qualifications of a minister from the United States, and that whilst France asserts the existence of a persevering intention on her part to conciliate with sincerity the differences which have arisen, the sincerity of a like disposition on the part of this government should be even indirectly questioned. It is also worthy of observation, that as yet we have experienced no advantages from the decree which was alleged to be intended to restrain the French citizens from depredations on our commerce, and that the decree of [January last,] which, among other injurious regulations, subjects to seizure and confiscation commodities of British fabric and production in neutral bottoms, though the property of neutrals, has not only not been rescinded, but has even received a recent confirmation by the failure of a proposition for its repeal. While this decree, which is an unequivocal act of war on the commerce of the nation which it attacks, continues in force, those nations can only see in the French government a power regardless of their essential right of their independence and their sovereignty, and if they possess the means, they can reconcile nothing with their interest and honour but a firm resistance. Hitherto, therefore, I can perceive nothing in the conduct of the French government which ought to change or relax our measures of defence; on the contrary, to invigorate them, is, in my judgment, our true policy. We have no reason to regret that this system has been thus far pursued, and in proportion as we enlarge our view of the incalculable situation of Europe, we shall discover new and cogent motives for the full development of our resources and energies. In demonstrating by our conduct that we do not fear war in the necessary protection of our rights and honour, we shall give no room to infer that we abandon the desire of peace. This has been wisely and perseveringly cultivated, and as between us and France, harmony may be reestablished at her option.

But the sending another minister to make a new attempt at negotiation would be an act of humiliation to which the United States ought not to submit without extreme necessity; no such necessity exists, it must therefore be left with France, if she is desirous of accommodation, to take the requisite steps. The United States adhere to the maxims by which they have been governed; they will sacredly respect the rights of embassy; their magnanimity discards the policy of retaliating insult in bar of the avenues to peace, *and if France shall send a minister to negotiate, he will be received with honour and treated with candour;* and with a sincere disposition on her part to desist from hostility, to make reparation for the injuries heretofore inflicted on our commerce, and to do justice in future, there will be no obstacle to the restoration of friendly intercourse on a substantial basis. In making this declaration to you, I give a pledge to the French government and to the world that the executive power of this country still adheres to the humane and pacific policy which has uniformly governed its proceedings, and re-echoed the wishes of the other branches of the government and the people of the United States."

As that part of the address which is to relate to our affairs with France is most important, it is separately presented; the other branches of the proposed communication will be noticed in a second report. All which is respectfully submitted, etc.

Of the conferences which took place with the cabinet touching these subjects, on Mr. Adams' return from Quincy, something will be said hereafter. Congress met on the third of December. The speech was delivered to the two Houses on the 8th of December. Its tone was resolute and patriotic, and its sentiments with two fatal exceptions, perfectly satisfactory to the friends of the government, and the supporters of the national honor. Referring to the awakened spirit of the people he said:

"To the usual subjects of gratitude, I cannot omit to add one, of the first importance to our well-being and safety; I mean that spirit which has arisen in our country against the menaces and aggressions of a foreign nation. A manly sense of national honour, dignity, and independence has appeared, which, if encouraged and invigorated by every branch of the government, will enable us to view undismayed the enterprizes of any foreign power, and become the sure foundation of national prosperity and glory."

The suggestions in the preceding letter from Wolcott were generally followed, and the language recommended to be used respecting France adopted almost verbatim. But in reference to another mission to that country, it was unfortunately so modified, as to make "more determinate assurances that he would be received," a condition without which, sending another minister would be humiliating, thus leaving open a door for such another embassy on that condition. The change was significant of his conduct at a later period of the session, and led to momentous results to the party and to the country. The invitation to France to make the first overtures, was likewise narrowed down to a simple statement, that the United States "would respect the sacred rights of embassy." He added:

"But considering the late manifestations of her policy towards foreign nations, I deem it a duty deliberately and solemnly to declare my opinion, that whether we negotiate or not, vigorous preparations for war will be alike indispensable. These alone will give to us an equal treaty, and ensure its observance."

The finances were represented as in a prosperous state, notwithstanding the unexampled embarrassments which had attended commerce. Among the measures of preparation which appeared expedient, the navy in particular was commended to the attention of Congress. The beneficial effects of the small armament already provided, had been known and acknowledged. No country had ever experienced more sudden and remarkable advantages from any measure of policy, than had the United States from arming for maritime protection. The foundation for an increase of our navy should therefore, he urged, be laid without loss of time. The progress of the several boards of commissioners under the treaties was noticed. The most important intelligence under this head was the determination of the river intended in the treaty of peace, as the river St. Croix, which was settled to be that known as the Scoodiac. The commissioners under the 7th article of the treaty of London, it was supposed, would complete their business in the determination of American claims in the ensuing summer. Most of the claims for captures under the Spanish treaty had likewise been adjusted. The Spanish garrisons had finally evacuated the posts, and steps had been commenced to run the boundary line with those provinces.

The responsive address of the House of Representatives was highly satisfactory in tone, and was carried without opposition. In respect to France, the matter of most importance, it was said, that the hope of moderation or justice, was denied by the ultimate failure of the measures taken towards an amicable adjustment of differences, and by her various inadmissible pretensions. The continuing in force of the decree of January preceding, ought of itself to be considered as demonstrative of the real intentions of the French government. That decree proclaimed a predatory warfare against the unquestionable rights of neutral commerce, which with our means

of defence, interest and honour commanded us to repel. It therefore became the United States to be as determined in resistance, as they had been patient in suffering, and condescending in negotiation. While those who directed the affairs of France persisted in the enforcement of decrees so hostile to our essential rights, their conduct forbade us to confide in any of their professions of amity. The consequent necessity of extending and invigorating the measures of protection was fully recognized, and the manifestation of a spirit of resistance throughout the country, hailed as a source of national gratulation.

On the subject of further negotiations the address held the following significant language:

"Fully as we accord with you in the opinion, that the United States ought not to submit to the humiliation of sending another minister to France, without previous assurances sufficiently determinate, that he will be duly accredited; we have heard, with cordial approbation, the declaration of your purpose, steadily to observe those maxims of humane and pacific policy, by which the United States have hitherto been governed. While it is left with France to take the requisite steps for accommodation, it is worthy the Chief Magistrate of a free people, to make known to the world, that justice on the part of France will annihilate every obstacle to the restoration of a friendly intercourse; and that the Executive authority of this country will respect the sacred rights of embassy. At the same time, the wisdom and decision which have characterized your past administration, assure us, that no illusory professions will seduce you into any abandonment of the rights which belong to the United States, as a free and independent nation."

The object of this last intimation was sufficiently evident to the President, when in his reply to the address he echoed its words. The address of the Senate was even more emphatic. After enumerating the recent offences of France towards the United States, it proceeded:

"These facts indicate no change of system or disposition—they speak a more intelligible language than professions of solicitude to avoid a rupture, however ardently made. But if after the repeated proofs we have given of a sincere desire for peace, these professions should be accompanied by insinuations, implicating the integrity with which it has been pursued; if neglecting and passing by the constitutional and authorized agents of the government, they are made

through the medium of individuals without public character or authority—and above all, if they carry with them a claim to prescribe the political qualifications of the minister of the United States to be employed in the negotiation, they are not entitled to attention or consideration, but ought to be regarded as designed to separate the people from their government, and to bring about by intrigue that which open force could not effect."

To this Mr. Adams replied in turn:

"I have seen no real evidence of any change of system or disposition in the French Republic towards the United States. Although the officious interference of individuals without public character or authority, is not entitled to any credit, yet it deserves to be considered whether that temerity and impertinence of individuals, affecting to interfere in public affairs between France and the United States, whether by their secret correspondence or otherwise, and intended to impose upon the people and separate them from their government, ought not to be enquired into and corrected."

These allusions will be hereafter explained. It is desired particularly to call attention to the fact, that Mr. Adams, at the time of making these remarks, the 12th December, had seen no evidence of any change of policy on the part of France.

The reports of the Secretaries of War and of the Navy suggested very material improvements in their respective services. That of the latter in particular urged, upon reasons the most substantial, the foundation of a moderate but efficient permanent force, and the provision of timber and stores for future use. These suggestions, excepting as to the actual increase of the navy, were generally adopted. Laws were passed during the session providing for the better organization of the troops of the United States, authorizing the establishment of docks, the purchase of timber, and for the government of the navy.

The payments on account of the debt of the United States during the year, according to the report of the Secretary to the board, had been as follows:

Third instalment on the 6 per cent. stock,	$638,016 03
Payments on account of the bank loans,	400,000 00
Instalment of Dutch debt,	80,000 00
	$1,118,016 03

Of the funds applied to this payment it is noticeable that the sum of $88,376 73 was received from the sales of public lands, now for first time constituting an item in the financial resources of the country.[a]

The annual report on the internal revenues, exhibited a favourable improvement over that of the preceding year. The amounts received from the several objects of taxation were as follows:

Domestic distilled spirits and stills,	$502,123 76
Sales at auction,	37,996 10
Refined sugar,	58,921 39
Carriages,	72,335 93
Retailers licenses,	63,861 98
	$735,239 16
The expenses of collection were	86,098 43

The preliminary measures for the assessment and collection of the direct tax had been steadily pursued during the recess, and no obstacles had as yet occurred but such as were expected from the extent of the country and the novelty of the tax. Some amendments to the act were, at Wolcott's suggestion, made during the session, in modifying a feature deemed the most unpopular, and in authorizing the President to increase, when necessary, the salaries of the officers; the lowness of which had rendered it difficult, particularly at the south, to procure suitable persons to fill them.

[a] The public lands, however, it is to be understood, did not for some years after become a permanent and reliable source of income.

FROM STEPHEN HIGGINSON.

Boston, Dec. 13, 1798.

(Private.)

Dear Sir,

The receipt of your letter of 19th last month, I have now to acknowledge.

* * * *

I see the difficulties, some of them at least, which will attend the subject of loans; but as money must be had to meet the wants of government, they must be encountered—a loan must be attempted in that way which will probably incur the least difficulty.

Were it not for the peculiar habits and prejudices of our people, the British mode of commanding the greatest amount of money, with the least present expense or smallest annuity, would appear very eligible in our actual situation; but the idea of a permanent loan, of creating a standing national debt, will raise the opposition within doors, and give them new weight and influence with the people; it would furnish them with a popular string which they would unceasingly vibrate, till they had excited a popular irritation.

To propose this would not only hazard a failure of the object, a supply of money, but the loss also of the confidence of the people in the administration, who have been taught to view a standing debt as the most forcible engine to render governments independent of the people.

On the other hand, to offer more than common interest, what is in N. England considered as the legal rate, of six per cent., will not be very palatable. It will be said to evidence a want of resources or of economy in expenditure, or of talents to call forth and apply the existing means; else why is a larger interest necessary to command money now than heretofore, more than has been usual for the states or individuals to give. But a douceur of some kind may be given to induce monied men to exert themselves to procure and to furnish money; to expect such exertions from cold patriotism will prove deceptive; and considering the rate of our public stocks, the alluring prospects from commerce, and the many other modes, which, in the present state of things, present for making a great benefit from the use of money, the rate of 8 per cent. will be thought moderate terms, indeed, by the money holders.

Taxes and loans in any form, are no where popular, except when believed to be necessary for public purposes; but could our people be convinced that money is wanted for the safety and happiness of the country, they will readily acquiesce in a loan at 8 per cent., if not obtainable at a lower rate; and it will not be very difficult to satisfy them that it cannot be had, nor ought to be expected, at a less interest, redeemable at pleasure or after a short term. It will be much easier to reconcile the people to as high a rate of interest as 8 per cent., or even more, than to a loan irredeemable at a lower interest; the latter indeed would meet violent opposition and excite a general popular alarm, the rate of interest would not be in that case attended to.

You may expect the support of well informed men to a loan at 8 per cent.; and I should think our monied men will subscribe liberally, convinced that mo-

ney must be furnished in that way, and that a higher rate would be unpopular, if not unreasonable.

But government should have two or three able men in their service, to inform the people of the expediency or necessity of the measures adopted. In a case like this, the people will want information to show them the necessity for raising the money, and the eligibility of the mode adopted. A popular government like ours, dependent upon the support and confidence of the people, cannot have a fair chance, unless constant and convincing displays of the wisdom and rectitude of public measures are regularly made for their instruction; and to depend upon volunteer exertions to make such displays, is to render the public tranquillity, if not safety, very precarious. I hope the reports of Logan and the intrigues of Talleyrand will be not attended to by our government; on the contrary, their attempts to arrest vigorous measures against the French, ought to stimulate to greater energy in our preparations, offensive and defensive. An open declaration of war on our part would be to co-operate with the powers in Europe to bring the French to sue for peace; and by being in the number of those engaged against France, we shall become parties to a general negotiation for peace, and shall have a strong security in consequence, against any future attempts by force or fraud to subjugate us. Much will depend upon the Executive to give a firm tone to Congress; and much may be done, under existing laws, to prevent any temporizing measures, by pushing active offensive operations against France in the West Indies.

Will you be so good as to inform me when you shall again want money in Holland, and whether any previous engagements will be made to provide exchange, as I shall probably be very glad to furnish a part of what may be wanted.

Wishing you health and spirits to go through the arduous duties of your station, I remain, respectfully, sir, your most humble servant,

STEPHEN HIGGINSON.

TO ALEXANDER HAMILTON.

PHILADELPHIA, Dec. 21, 1798.

* * * *

The result of all the enquiries which I have been able to make is, that a small sum might be raised by the gradual sale of 7 1-2 per cent. stock at par; but that there can be no certainty that a loan would immediately be filled for the sum we want under 8 per cent. If among your acquaintances you discover any circumstances to vary this opinion, be pleased to inform me soon.

In January the $5,000,000 loan was filled, and, as had been foreseen would be necessary, at 8 per cent. This rate created the usual outcry among the anti-federalists, who characterized it as exorbitant. The time came when they could not obtain money themselves, even at that rate,

at par. Even within five years Mr. Gallatin issued his Louisiana stock at as high an interest, when the exchange was included, and that too payable abroad. The eight per cent. army loan, however, was one of the malfeasances which, judiciously harped upon, contributed much to the downfall of the federal administration.

The navy six per cents., created at the last session, were issued during the year to the amount of $711,700, and these sums formed additions to the debt of the United States on the 1st January, 1800.

FROM STEPHEN HIGGINSON.

BOSTON, Feb. 14, 1799.

Dear Sir,

Your proposals for a loan have been as well received here as I expected. A much larger sum than five millions might have been obtained had it been wanted, and the existing laws authorized its being extended. At least such is the present appearance, judging from the eagerness of people here to subscribe, and what we are informed as to the disposition of people in New York and Philadelphia, &c. I am, however, at a loss to account for the ardour discovered in people to become subscribers; for the new loan will not prove more beneficial than the six per cents. at the highest price asked for them here, say 16-6; and at New York and Philadelphia the prices have been and are at 15-6 to 16s per £. Patriotism, or a desire to aid government, by showing both an ability and disposition to furnish the funds wanted for public purposes, has an influence with many; but I suspect that the brokers and speculators in stocks have contributed much to excite that disposition, expecting to make a profit on the shares they may take in the loan, by selling out early to those who may not succeed in getting so much invested in it as they now wish for.

It may not be easy for you now to provide any new checks to a rage for speculating in the loan; but there is reason to believe that societies and individuals, having large funds, will be deterred from attempting to invest their money in the loan permanently, by subscribing early, from a belief that the terms or mode of subscription will prevent their succeeding to any large amount, and in the expectation that the speculators will be obliged, should their scripts not sell as they expect, to sell out on low terms, to pay in their latter instalments. The loan does not exhibit to such societies an advantage so much beyond other stocks, as to stimulate them to exertions conceived to be necessary to secure a large amount of it by using many names for small sums; but the hopes of the speculators, inspired by success in former instances, may stimulate them to great exertions to obtain largely for themselves, and to urge on others to subscribe largely also. I did hope that the brokers would not have been induced to make this

loan an object of speculation; but all their motions here, and the advices from New York and Philadelphia, indicate a general combination among them to engross as much of it as they can on speculation.

The letter from the agent, Desfourneaux, at Guadaloupe, to the President, is a new attempt to detach the people from their government. It was sent by the first opportunity to this country for publication, and is intended to furnish the opposition with new ground to impede measures of defence. This letter exhibits clearly the game which the French agents are to play off against the Executive, and it shows the danger to be apprehended from the President's conciliatory speech.

Having declared the door to be open for negotiation, he may expect French agents and French diplomatic intrigues to appear in all the forms and modes their ingenuity can suggest; and he will have reason to repent more and more the follies of his *friend* Gerry, and to lament the countenance he has given to him and his silly communications. The vanity and the weakness of Gerry will probably induce more embarrassment and involve more inconvenience, if not danger, to the government, sanctioned as they have been by the President, than all the *known* agents of the Directory, with Gerry added to them, could have produced.

I have a considerable sum of money in Holland, which I wish to draw for when you shall again want to remit there. I would draw now and wait till the next period for remitting shall come round, if it will be preferred, or in any other way make it convenient for you to take 100 in guilders. I have the honour to be, with respect, sir, your humble servant,

STEPHEN HIGGINSON.

A report of the Secretary of State on Mr. Gerry's correspondence, and the remaining papers on that subject, the contents of which have been already mentioned, were transmitted to Congress in January. This report reviewed with equal ability and severity the conduct of that envoy, and his attempt at self-defence, as well as the duplicity and aggressions of France. Considering the feelings of the President towards Mr. Gerry, it is a matter of some surprise that this paper passed the ordeal of his inspection. As it was, some passages were stricken out.[a]

A message of the 28th of the same month announced the reception of a decree of the Directory that every native of friendly countries, allied to the French republic or neutral, bearing a commission granted by the enemies of

[a] See Cunningham Letters, XXXIV.—Pickering's Review, Sec. IV.

France, or making part of the crews of ships of war and others, enemies, "should, by that single fact, be declared a pirate, and treated as such, without being permitted in any case to allege that he had been forced into such service by violence, threats, or otherwise." This decree was passed on the 29th of October, and though only confirmatory of an article in that of March 2d, 1797, being levelled at the United States, whose citizens, through British impressments, were often found on board the vessels of that power, formed an admirable commentary on Talleyrand's declarations to Mr. Gerry, as well as on certain subsequent professions which had followed his departure. It was promptly met on the part of Congress by a law authorizing the President to retaliate life for life on French prisoners. The execution of this decree was afterwards suspended by another, but that of March, 1797, was left still in force, the third article of which subjected explicitly and *exclusively*, American seamen to be treated as pirates, if found on board ships of the enemies of France. In communicating the intelligence of its suspension to the House in a message of February 15th, the President referred to this fact as rendering it nugatory. Other acts growing out of the difficulties with France were those further suspending commercial intercourse with that country; authorizing the exchange or sending away of prisoners; giving eventual power to the President to augment the army in case of actual war.

One law of another kind, the first, too, enacted during the session, deserves particular notice. By its provisions, fine and imprisonment were to be inflicted on citizens holding correspondence with foreign governments or their agents, in relation to the United States. This was passed in consequence of a transaction of Dr. Logan of Philadelphia. During the preceding summer, after the publication of the despatches had demonstrated the failure of the mission, he had, as it appeared, constituted himself, or

been constituted the agent of the French faction in that city to proceed to Paris and hold communications with Talleyrand, and had actually gone there on this business. His departure, which was clandestine, and his errand, became known, and also the fact that he had been furnished with a certificate of citizenship by Mr. Jefferson by way of passport. That functionary attempted to explain away his participation in the matter, but the suspicion remained unshaken that he had known and approved of the objects of Logan's visit—that he furnished him with credentials was never denied. It was to this affair that reference was made in the Senate's address and the President's reply. As the nature of Logan's business has been denied, and among others by Talleyrand himself,[a] it is worth mentioning that on his return he himself communicated to Washington the object and results of his voyage.

The salaries of some of the principal officers of state, which, in spite of the outcry against their extravagance, had been wholly inadequate to their attendant expenses, were raised to a more proper though still a moderate amount. The law augmenting them, allowed to the Secretaries of state and of the treasury $5,000 per annum, to those of war and the navy $4,500, and to the Attorney General $3,000. It met with a very strong opposition, and was once defeated in the House. The final vote stood 52 to 43; in the Senate, 32 to 2. These same salaries, on the expiration of the law fixing them, were, early in Mr. Jefferson's administration, continued by the economical party then in power in favor of its own officers.

The session terminated with the 3d of March.

[a] Letter to Pichon of Aug. 28, 1798. See President's Message of Dec. 5, 1799.

FROM GEORGE CABOT.

BROOKLINE, Feb. 22, 1799.

My Dear Sir,

I sincerely thank you for the kind intentions which are sufficiently manifest, notwithstanding your willingness to disguise them, in your letter of the 12th. I am grieved to hear you complain of the weight of duty, which I have often feared might become intolerable to you. I pray for your own sake, but still more for the public, that you may neither be disabled nor discouraged. I speak with sincerity of the public, because I see nowhere a man to fill the place. For yourself, the only adequate motive is, that honest fame which is the just reward of the greatest and most difficult services. I have sometimes hoped that time, which accommodates us to our burdens, would have reconciled you to yours, and that the sensibility which wastes human strength like a hectic fever, would become less exquisite; but if you are compelled to sacrifice your health or quit your office at last, there can be no doubt of the option you ought to make. In any event, you will doubtless take no step without the utmost deliberation, nor without first ascertaining the position of comfortable ease which you are to take and which must be always completely in your power to secure. I have a great deal to say on this subject, but you would think I had already said too much if you did not know the great interest I take in your happiness.

I agree with you fully on the importance of an *established* right to trade freely with any of the principal islands, but to secure this we must perhaps forbear to supply them until their dependence on the Jacobin parent is entirely destroyed. I should think, too, that the English must be consulted, and that without a perfect concert there would be no safety in the system, for, indeed, the occurrence is produced by their arms. I have always apprehended that our money-loving people would be apt to supply the French colonies notwithstanding your prohibitory law. You ought to go one step further, and if you cannot declare war, you ought nevertheless to authorize indiscriminate reprisals on French property, and prohibit personal intercourse. It is as singular as it is humiliating, that while the French capture our property, *ad libitum*, and have done it for years, we restrain our citizens from retaliating; it has appeared to me the path of policy is so plain, that it cannot be mistaken, and nothing but the foulest traitorism and faction can prevent its being pursued. General reprisals would instantly increase the number, and still more the force of private vessels of war. Avarice would fight our battles, and would train innumerable sea-soldiers to defend our coasts against invaders if they ever come, and give us weight and respect among the maritime nations if they should not. The incidents of active war would every day interest the feelings of the community and destroy that apathy which has been so dangerous, and by driving away Frenchmen and forbidding personal intercourse between the countries, the ducts of corruption would be principally cut off. It is time to say openly, what I have said these five years, that the revolutionary monster that has arisen in France must be destroyed, or it will never cease to destroy others. These opinions, indeed, are extensively embraced now.

I repeat that you are not to write to me unless I expressly request it, or you

have commands of your own to give; but as I am still called to preach political sermons to occasional auditories, I wish in future you would send me annually the report of the Secretary of the Treasury which gives a view of the exports and imports. I have not seen one these several years. Yours, truly,

G. CABOT.

At the commencement of this winter the spirit of the nation had been fully aroused. Confidence in the government had extended; the conviction had spread among the people that the measures against France were necessary and just, and that everything consistent with honor had been done to preserve peace. The feeling of indignation at her continued insults and aggressions had become national. The efforts of the opposition, systematic and powerful as they were, had been unavailing in affecting popular opinion. Addresses evincing the most determined and patriotic spirit poured in from every part of the country. Congress was firm; the majority of the federalists in both Houses decided. The military preparations of the autumn had aroused the martial spirit of the land. The bravest, the ablest, the most honored of our citizens were enrolled among the followers of the national banner.

And at this moment, when those who had so long and so faithfully toiled in their country's service, saw at length the approaching accomplishment of their labors in its relief from foreign subjection; when domestic faction was already overwhelmed by the indignant voice of an awakened people; when federalism was at last triumphant, and a consistent adherence to its policy would have preserved its ascendency; when resistance was at the point of securing that justice which had been denied to entreaty and to reason, a blow was struck which annihilated at once the spirit thus and so hardly aroused, which blasted the hopes to which that spirit had given birth, which destroyed in a moment all that the labors of years had effected; and that blow was struck by him whom the

federalists had raised to the chief magistracy, and who had pledged himself to the maintenance of their principles. It was the institution of A THIRD EMBASSY to the nation that had outraged our government; had sought to dictate the rulers we should choose over us and the policy they should pursue; that had stirred up sedition in our territories, plundered our commerce, insulted our flag, expelled from her borders our ministers of peace; the nation whose aggressions had paralleled those of Rome, and whose faithlessness had exceeded that of Carthage.

The circumstances attending this extraordinary change of policy will now be related, and Mr. Adams' own account of the matter will be given, that if an unjust or partial conclusion is admitted, it may, at least, carry with it the means of its correction. It is to be constantly borne in mind, that his version was written long after the facts themselves occurred; when their results had been proved, and when the lapse of time afforded the opportunity of giving to it the most plausible explanation, and the benefit of after thoughts could most readily be taken advantage of. It will appear that many of his statements are incorrect, and colored by prejudice, passion, or forgetfulness; that he has represented as consequences, facts which bear no relation to each other; as motives, causes which did not at the time exist. Thus, in the absence of direct contradictory evidence, the means of its refutation is often to be found in his own narration.

It has been said that a change was made in the draft of that part of the speech which was adopted from Wolcott's letter. The sentiment substituted by the President was as follows:

"But to send another minister, without more determinate assurances that he would be received, would be an act of humiliation to which the United States ought not to submit. It must, therefore, be left with France, if she is indeed desirous of accommodation, to take the requisite steps. The United States will

steadily observe the maxims by which they have hitherto been governed. They will respect the sacred rights of embassy."

The language, on the other hand, proposed by the Secretary, and upon which the cabinet were unanimously agreed, had expressly declared that the sending another minister by the United States, under any circumstances, would be an act of humiliation to which she could not submit; and an invitation as direct, was held out to France to send one, on her part. This recommendation had been well considered. It had, perhaps, even been approved by the "military conclave," to which Mr. Jefferson attributed the writing of the message, "so unlike Mr. Adams in point of moderation." It was known to the cabinet that Mr. Adams had been subjected to the influence of Mr. Gerry, and his friends at the eastward. It was known that he had vindicated him, at the expense of Messrs. Pinckney and Marshall; it was known that he had been, and would still be, urged to further attempts towards appeasing France. It was felt that such a course would be equally disgraceful and impotent; that armed resistance, self-protection by force, alone were worthy of the country, and alone would procure a lasting and substantial peace; that the overtures made by Talleyrand, or at his instigation, prior and subsequent to Mr. Gerry's departure, were brought about by the attitude of decision of the American government; that, insincere as they were in fact, sincerity could be produced only by steadfastness to that decision. It was therefore that Mr. Adams was urged to close the door definitively against further intrigue and solicitation. It was therefore that the house had adopted the language of their reply. Fearing the instability of his resolves, and knowing the influence possessed over him by such men as Mr. Gerry, his constitutional advisers exerted themselves to procure the adoption of a measure

which left no loophole for retreat, and Congress intimated, in intelligible terms, their aversion to further paltering. Mr. Hamilton, who was present in Philadelphia, has recorded the result.

"The session which ensued the promulgation of the despatches of our commissioners, was about to commence. Mr. Adams arrived at Philadelphia from his seat at Quincy. The tone of his mind seemed to have been raised, rather than depressed. It was suggested to him that it might be expedient to insert, in his speech to Congress, a sentiment to this import: That after the repeatedly rejected advances of this country, its dignity required that it should be left with France, in future, to make the first overture; that if, desirous of reconciliation, she should evince the disposition by sending a minister to this government, he would be received with the respect due to his character, and treated with, in the frankness of a sincere desire of accommodation. The suggestion was received in a manner both indignant and intemperate. Mr. Adams declared, as a sentiment which he had adopted on mature reflection, that if France should send a minister to-morrow, he would order him back the day after. So imprudent an idea was easily refuted. Little argument was requisite to show that, by a similar system of retaliation, when one government, in a particular instance, had refused the envoy of another, nations might entail upon each other perpetual hostility; mutually barring the avenues of explanation. In less than forty-eight hours from this extraordinary sally, the mind of Mr. Adams underwent a total revolution. He resolved not only to insert in his speech the sentiment which had been proposed to him, but to go farther, and declare that, if France would give explicit assurances of receiving a minister from this country, with due respect, he would send one.

In vain was this extension of sentiment opposed by all his ministers, as being equally incompatible with good policy, and with the dignity of the nation; he obstinately persisted, and the pernicious declaration was introduced."[a]

The time at which the President arrived at the determination to institute this embassy, or when he received the papers on which it was based, is not ascertained. On the 15th of January he addressed the following note:

TO THE SECRETARY OF STATE.

January 15, 1799.

The President of the United States requests the Secretary of State to prepare the draught of a project of a treaty and consular convention, such as, in his

[a] "Letter from Alexander Hamilton concerning the public conduct and character of John Adams," &c. New York. 1800.

opinion, might at this day be acceded to by the United States, *if proposed by France*. It is his desire, that the Secretary of State would avail himself of the advice and assistance of all the heads of departments, in the formation of this composition; to be completed as soon as the pressure of other business of more immediate necessity, will permit. The necessity of inviolable confidence will be obvious.

JOHN ADAMS.

It is surmised that this request was issued previous to the reception of the papers, but of this no certainty is expressed; nor is it known what expectation existed that any treaty would be offered. From a letter of the Secretary, to Mr. Murray, of Feb. 1st, it even appears that the intervention of Holland, again proffered through Mr. Van Polanen, was summarily rejected. "The President did not pause for an answer in the negative."

No memoranda among Wolcott's papers, indicate whether any action was taken on the subject. It is certain that no initiative measures, on the part of the United States, were apprehended by any of the cabinet, in consequence of this note.

Mr. Adams' own version of this affair will appear below. It differs from that of Mr. Hamilton, in respect to his change of intention as regards the reception of a French minister. It is, however, admitted that he refused to declare that he would not attempt another negotiation himself; while, at the same time, he adopted the other sentiments recommended to be expressed in regard to France. His course, in the one instance, displeased the defenders of that nation, as significant of warlike intentions; in the other it disgusted those of his friends who perceived in it the indication of wavering purpose, and the germ of future mischief.

The result was, for the time, delayed; but, on the 18th of February, without a word of communication with any one member of the cabinet, any federalist in either house; without the slightest intimation or forewarning, Mr. Ad-

ams nominated to the Senate Mr. WILLIAM VANS MURRAY, to be Minister Plenipotentiary to the French republic. Had a thunderbolt fallen upon that body, it could not have produced more amazement. Warlike preparations, pursuant to the recommendations of the speech, had been adopted; up to that very hour, every measure had been in reference to prospective war, and now the action of the political engine was suddenly reversed, at the moment when its every joint was strained to the utmost.

In the proposed examination of this occurrence, it is necessary to look at the inducements which led to, or were assigned for it; the policy of the measure itself, and the propriety of the manner of executing it. The reasons *assigned* by Mr. Adams, and the facts on which he rested them particularly, deserve attention. In the first of his Patriot Letters, in order to show that the measure was grounded on good evidence of a change of disposition in the French Directory, and that it was accordingly even approved by Washington himself, he published a letter from Mr. Barlow, then at Paris, to the latter, of the date of October 2d, 1798.

Mr. Barlow had written to Gen. Washington on the subject of the difficulties between the United States and France, which he characterized as a "misunderstanding." Both countries, he said, were in favor of peace; each believed the other determined on war. The causes which had produced this state of feeling, he passed over; the point that he wished to establish was, that the French Directory was then sincerely desirous of restoring harmony between that country and the United States, on terms honorable and advantageous to both parties. The proofs offered by Mr. Barlow, in support of this assertion, were: First, The Directory had declared that it would receive, and treat with any minister from America, who should appear to be sent with a sincere intention of treating, and terminating existing difficulties. Second, As a prelimi-

nary, it had been declared, that in the negotiation there should be no question of loans of money, or apologies for offensive speeches pronounced by the Executive, on either side. Third, All commissions given to privateers in the West Indies were recalled, and when new commissions were issued, the owners and commanders were to be restricted under bonds, to the legal objects of capture. Fourth, An embargo laid on American ships, in consequence of a report that war had been declared by the United States, had been taken off, as soon as it was ascertained that such war had not been begun, and a new declaration was at the same time sent to America, of the wishes of France to treat. Other facts, in his mind equally clear, must, he said, rest on his own information and opinion. They were, 1st, That the French government contemplated a just indemnity for spoliations on American commerce, to be ascertained by commissioners in a manner similar to the one prescribed by our treaty with England; 2d, That the legislation would soon be changed there, with respect to neutrals, and that all flags would be put on the footing of the law of nations; 3d, That a public agent would have been named, and sent to Philadelphia soon after Mr. Gerry's departure, were it not for the apprehensions that he would not have been received; 4th, That the Directory considered these declarations and transactions, as a sufficient overture on its part. That it had *retreated* to an open ground, that was quite unsuspicious. That a refusal on the part of the American government to meet on this ground, would be followed by immediate war, and that it would be a war of the most terrible, and vindictive kind. Such was Mr. Barlow's "view of the present state of facts;" and he appealed to Washington, "whether it did not comport with the independence of the United States, and the dignity of their government, to send another minister to form new treaties with the French republic. To engage your influence,"

he added, "in favor of a new attempt at negotiation, I thought it only necessary to convince you that such an attempt would be well received here, and probably with success."

This letter was forwarded by Washington, to Mr. Adams, on the 1st February, 1799, with a brief note, in which he stated, that he conceived it to be his duty to transmit it to him without delay, and without comment, except that it must have been written with a very good, or a very bad design—which of the two, Mr. Adams could judge better than himself. "For," said Washington, "from the known abilities of that gentleman, such a letter could not be the result of ignorance *in him*, nor from the implications which are to be found in it, has it been written without the privity of the French Directory." He added, that he had not been in the habit of corresponding with Mr. Barlow. The letter he then forwarded, was the first he had ever received from him, and to him, he had never written one. If Mr. Adams "should be of the opinion that his was calculated to bring on negotiation upon open, fair, and honorable ground, and merited a reply, and would instruct him as to the tenor of it, he would with pleasure and alacrity, obey his orders; more especially, if there was reason to believe that it would become a means, however small, of restoring peace and tranquillity to the United States upon just, honorable, and dignified terms, which he was persuaded was the ardent desire of all the friends of this rising empire."

Upon this, Mr. Adams says:

"Neither Mr. Barlow's letter, nor General Washington's, would have influenced me to nominate a minister, if I had not received abundant assurances to the same effect, from regular diplomatic sources. I however, considered General Washington's question, whether Mr. Barlow's was written with a very good or a very bad design; and as, with all my jealousy, I had not sagacity enough to discern the smallest room for suspicion of any ill design, I frankly concluded it was written with a very good one.

From General Washington's letter, it appears, 1st, That it was his opinion

that the restoration of peace upon just, honourable, and dignified terms, was the ardent desire of all the friends of this rising empire. 2d, That he thought negotiation might be brought on upon open, fair, and honourable ground. 3d, That he was so desirous of peace, that he was willing to enter into correspondence with Mr. Barlow, a private gentleman, without any visible credentials, or public character, or responsibility to either government, in order to bring on a public negotiation. General Washington, therefore, could not consider the negotiation odious."

In the next letter he continues:

* * * "It was with the utmost reluctance, that I found myself under the necessity, in 1798, of having recourse to hostilities against France. But the conduct of that government had been so unjust, arbitrary, and insolent, as to become intolerable. I therefore animated this nation to war; determined however, to listen to every proposal, and embrace the first opportunity to restore peace, whenever it could be done consistently with the honour, and interest of the country. In this spirit, I gave all due attention and consideration to Gen. Washington's, and Mr. Barlow's letter, nor was I wholly inattentive to a multitude of other circumstances, some of which shall be mentioned.

Perhaps at no period of our connection with France, has there been such a flood of private letters from that country to this, as in the winter of 1798 and 1799. The contents of many of them were directly or indirectly communicated to me. They were all in a similar strain with that of Mr. Barlow; that the French government had changed their ground, and were sincerely disposed to negotiation and accommodation.

I will instance only two. Mr. Codman, of Boston, wrote largely and explicitly to his friends, to the same purpose; and his worthy brother, the late John Codman, of Boston, not only communicated to me the substance of his brother's letters, but thanked me in warm terms, for opening a negotiation; and added, that every true friend of this country who was not poisoned with party spirit, would thank me for it, and support me in it. Mr. Nathaniel Cutting, a consul in France under President Washington's appointment, and a sensible man, wrote almost as largely as Mr. Barlow, and to the same effect.

I shall conclude this letter with another anecdote.

Mr. Logan, of Philadelphia, a gentleman of fortune and education, and certainly not destitute of abilities, who had for several years been a member of the legislature of Pennsylvania, and has since been a senator of the United States, though I knew he had been one of the old constitutional party in that state, and a zealous disciple of that democratical school, which has propagated many errors in America, and perhaps many tragical catastrophes in Europe, went to France, either with the pretext or the real design of improving his knowledge in agriculture, and seeing the practice of it in that country. I had no reason to believe him a corrupt character, or deficient in memory or veracity. After his return he called upon me, and in a polite manner informed me that he had been honoured with conversations with Talleyrand, who had been well acquainted with

me, and repeatedly entertained at my house, and now visited me at his request to express to me the desire of the Directory, as well as his own, to accommodate all disputes with America, and to forget all that was past: to request me to send a minister from America, or to give credentials to some one already in Europe to treat; and to assure me that my minister should be received, and all disputes accommodated in a manner that would be satisfactory to me and my country. I knew the magical words Democrat and Jacobin were enough to destroy the credibility of any witness with some people; but not so with me. I saw marks of candour and sincerity in this relation that convinced me of its truth.

But the testimonies of Mr. Codman, Mr. Cutting, Mr. Barlow, and Mr. Logan, and all other private communications, though they might convince my mind, would have had no influence to dispose me to nominate a minister, if I had not received authentic, regular, official diplomatic assurances, which may be sent you in another letter."

It is not a little singular that Mr. Adams should cite Barlow as an authority of respectability. The report of the Secretary of State to himself at this very session, on the transactions relating to the United States and France, and by him communicated to Congress, had contained a quotation from a letter of that personage to his brother-in-law, Senator Baldwin, which, as the Secretary remarked, "doomed the writer to infamy." The letter, which was dated in March, 1798, has been already cited as showing that true cause of the French decree of the second of that month, was the election of Mr. Adams to the presidency. Its tenor and sentiments would have justified stronger language even than that of Col. Pinckney. This fact was known to Mr. Adams, although not at the time to General Washington. Had Barlow's letter therefore been in reality of a feather's weight in determining the President's opinion, it would have been but little to his credit. He was a French citizen, a Jacobin of the deepest dye, a man intimately connected with some of the worst characters of the Revolution, and totally destitute of American sentiments.[a] But the truth was, as will hereafter appear, that although Mr. Adams, for the purpose of his vindication,

[a] Another of Barlow's letters to exactly the same effect, and in reply, will have been found among the correspondence. *Vide Supra.* p. 3.

was willing to adduce this as one of the grounds of his decision, his course had been determined on, long before the reception of Washington's letter. To this is to be added another instance of unfairness in interpreting the readiness of the latter (should Barlow's communication be considered as written in good faith) to reply to it in a spirit of conciliation, into the expression of an opinion in favour of negotiating on the basis of its representations. Washington's real opinions on the mission will be soon shown.

It is very true, as Mr. Adams has remarked, that at no period of our connection with France was there such a flood of private letters from that country to this as during this winter. A specimen of them has already been given in the letter of Fulwar Skipwith to Mr. Jefferson, and others might be brought forward of a similar character. Nor was it ever doubted that the contents of many of them were, directly or indirectly, communicated to the President. The system of manufacturing public opinion is not of late date, and the weakness and indecision of Mr. Adams were sufficiently understood. But among these letter writers Mr. Nathaniel Cutting is paraded "as consul in France under President Washington's appointment." What else Mr. Cutting was, Mr. Adams probably knew from certain letters of his at that time in possession of the cabinet, one of which like Mr. Skipwith's, addressed to Mr. Jefferson, contained sentiments even more degrading and contemptible than that of the consul-general, and advocated a still baser course of truckling and servility: the other, written to Messrs. Pinckney, Marshall, and Gerry, being its counterpart. Mr. Logan is also referred to as having verbally communicated information of the same kind, at M. Talleyrand's request. Did Mr. Adams remember that the impertinent interference of that individual (to call it by no stronger term) in the public affairs of the country, had awakened a general indignation at the

time, that his self-authorized negotiations with Talleyrand had caused another offence to be added to the criminal code of the United States, and that he himself, in his reply to the Senate's address, had, in reference to this very case, denounced "the temerity and impertinence" of such individual interference with public affairs, and had sanctioned by his signature the "Logan Act?"

In his new-born toleration for democracy and jacobinism, he says that he saw marks of candor and sincerity in Logan's narration that convinced him of its truth. It may be well to see what impression the same story produced upon one whose name Mr. Adams was fond of exhibiting as his approver, Washington. Logan, it appears, called on him also, and was treated with marked coolness, but persisted in remaining, and forcing upon him his communications. The following is Washington's account of the interview:

"He observed that the situation of our affairs in this country, and the train they were in with respect to France, had induced him to make the voyage in hope or expectation, or words to that effect, of contributing to their amelioration. This drew my attention more pointedly to what he was saying, and induced me to remark, that there was something very singular in this; that *he* who could only be viewed as a private character, unarmed with proper powers, and presumptively unknown in France, should suppose he could effect what three gentlemen of the first respectability in our country, specially charged under the authority of the government, were unable to do. With this observation he seemed a little confounded, but recovering said that not more than five persons had any knowledge of his going; that he was furnished by Mr. Jefferson and Mr. McKean with certificates of his citizenship; and that M. Merlin, President of the Directory of France, had discovered the greatest desire that France and America should be on the best terms. I answered that *he* was more fortunate than our envoys, for they could neither be received nor heard by M. Merlin or the Directory; that if the powers of France were serious in their professions, there was a plain and effectual way by which that object could be accomplished, namely, to repeal all the obnoxious *arrets* by which the commerce and rights of this country had been invaded, put an end to further depredations on both, and make restitution for the injuries we had received. A conduct like this, I said, would speak more forcibly than words; for the latter never made an impression on my mind when they were contradicted by actions."[a]

[a] Sparks' Writings of Washington, XI. 383-5, *Note*.

But it is necessary to proceed to the "authentic regular official diplomatic assurances," without receiving which he would not have nominated a minister, even though convinced in his own mind by these very credible and satisfactory informants.

Shortly after Mr. Gerry's departure from France indirect overtures were made by Talleyrand through M. Pichon, Charge d'Affairs at the Hague, to Mr. Murray, the American Minister Resident, opening the way to some renewal of negotiations. Mr. Murray having in some sort encouraged them, Talleyrand, on the 28th of August, addressed a letter to Pichon, intended for the eye of Mr. Murray, and indeed for that of his government, which, amidst lavish compliments to him, and professions of friendly dispositions towards the United States, contained the most ironical remarks on Mr. Gerry, to whom the failure of a reconciliation was attributed. Talleyrand says:

"Let us substitute calmness for passion, confidence for suspicions, and we shall soon agree. I used my endeavours to enter upon a negotiation in this spirit with Mr. Gerry. My correspondence with him, until the day of his departure is a curious monument of advances on my part, and of evasions on his. It is wrong to think that I confined myself to vague protestations. When it became necessary to abandon the idea of treating with that envoy, who thought it important only to know how a negotiation might thereafter be resumed, I gave him the most solemn assurances concerning the reception that a new plenipotentiary would receive. It was far from my thoughts to insinuate that the President should send one from the United States, instead of investing with his powers some one who was in Europe; far less that the envoy should land directly in France instead of announcing it in a neighbouring country. I wished merely to say that the Executive Directory was so decided for a reconciliation, that all tampering would be superfluous, that an act of confidence in it would excite its own. I should be very badly understood if there should be found in my expressions a restriction on the nature of the choice which the President might make. I wished to encourage Mr. Gerry, by testimonies of regard, that his good intentions merited. Although I could not dissemble that he wanted decision at a moment when he might have easily adjusted every thing, it does not thence follow that I designated him; I will now avow that I think him too irresolute to be fit to hasten the conclusion of an affair of this kind."

In a subsequent letter to M. Pichon, Talleyrand ap-

proved of his having communicated this document to Mr. Murray, and stated his conviction that "should explanations take place with confidence between the two cabinets, irritation would cease; a cloud of misunderstanding would disappear, and the ties of friendship would be more strongly united, as each party would discover the hand which sought to disunite them." Mr. Murray's hesitation was a subject of surprise to the minister. He had explicitly declared the same sentiments to Mr. Gerry, and at once sanctioned M. Pichon's assertion that "whatever Plenipotentiary the government of the United States might send to France, to put an end to the existing differences between the two countries, would be undoubtedly received with the respect due to the representative of a free, independent, and powerful nation."

"I cannot persuade myself that the American government need any further declarations from us to adopt such measures as would be suggested to them by their desire to bring the negotiations to a peaceable end. If misunderstandings on both sides have prevented former explanations from reaching that end, it is presumable that these misunderstandings being done away, nothing henceforth will bring obstacles to the reciprocal dispositions. The President's instructions to his envoys at Paris, which I have only known by the copy given you by Murray, and received by me the 21st Messidor, (9th July) announce, if they contain the whole of the American government's intentions, dispositions which could only have added to those which the Directory has always entertained; and notwithstanding the posterior acts of that government, notwithstanding the irritating and almost hostile measures they have adopted, the *Directory* has manifested its perseverence in the sentiments which are deposited both in my correspondence with Mr. Gerry and in my letter to you of the 11th Fructidor, and which I have herein before repeated in the most explicit manner. Carry, therefore, citizen, to Mr. Murray these positive instructions, in order to convince him of our sincerity, and prevail upon him to transmit them to his government."

Mr. Adams says:

"This letter was transmitted by Mr. Murray to the American government, and I own I am not acquainted with any words, either in the French or English language, which could have expressed in a more solemn, a more explicit, or a more decided manner, assurances of all that I had demanded as conditions of negotiation. How could I get rid of it with honour, or even without infamy?

If ever there was a regular diplomatic communication, this was one. The diplomatic organs were all perfect and complete. Mr. Pichon was well known at Philadelphia, where he had resided some years in a public employment in the family of the French ambassador, as a respectable man and a man of letters. He was now Secretary of Legation, held a commission from his sovereign as much as a Minister Plenipotentiary; and every Secretary of Legation in the absence of his principal minister is, of course, Chargé des Affaires; and the acts of the Chargé des Affaires are as official, as legal, and authentic as those of an Embassador Extraordinary. * * * *

Mr. Gerry's letter to the Secretary of State, dated Nantasket Road, October the 1st, 1798, confirmed these assurances beyond all doubt, in my mind, and his conversations with me at my own house in Quincy, if any thing further had been wanting, would have corroborated the whole. As I have not a copy of that gentleman's letter, if he should chance to read this paper, I ask the favour of him to publish copies of his letter and of M. Talleyrand's letters to him, and, if he pleases, to repeat the assurances he gave me in conversation. This gentleman's merit in this transaction was very great. They have been treated like all his other sacrifices, services, and sufferings in the cause of his country.

If, with all this information, I had refused to institute a negotiation, or had not persevered in it after it was instituted, I should have been degraded in my own estimation, as a man of honour; I should have disgraced the nation I represented, in their own opinion, and in the judgment of all Europe."

In consequence of the request contained in the letter from which this last extract is made, Mr. Gerry communicated to the editors of the Patriot a note of the "assurances" referred to as having been imparted by him in his conversations with the President.[a]

"The assurances to which President Adams has referred as having been imparted to him in conversation, by Mr. Gerry, are presumed by the latter to have reference to those which the French Directory made to him by their minister. M. Talleyrand, and by confidential persons, after the departure of the other envoys. They were expressed in the strongest terms to evince the disposition of the Directory, for accommodating all subjects of difference between the two republics; for accrediting any minister or ministers which should thereafter have been sent by the United States, immediately on the presentment of their letters of credence; for adopting a commercial treaty that should be liberal and beneficial to the said states; and for making effectual arrangements to discharge the numerous and just demands of American citizens on the French republic. Indeed the "assurances" were such that any departure from them must have forfeited any subsequent claim of credit on the part of the French republic."

[a] Mr. Gerry's letter to Talleyrand, consequent on this republication of the letters to Pichon, has been already noticed *Vide Supra*. p. 151.

Talleyrand's note was then the official communication upon which, corroborated by the letters and conversations previously mentioned, and by these assurances of Mr. Gerry's, Mr. Adams was induced to adopt the measure of a new embassy. The letters have been already adverted to; one word as to the ex-envoy.

What the assurances made by "confidential persons" other than M. Talleyrand were, does not appear from Mr. Gerry's despatches to the Secretary of State. That those made by Talleyrand, at least, did not warrant the inferences thus drawn from them, is evident from the letters themselves. Mr. Gerry might have remembered, it would seem, that representations of "confidential persons" had before been repudiated as unauthorized, that those asserted to have now been made to him and which were not upon the record, might likewise be denied, and that if the French government had not already forfeited their claim to credit, his own was by that very fact impeached, as upon it rested in great measure the evidence of their bad faith. But to the material point—the *official* assurances of Talleyrand to M. Pichon.

Mr. Adams manifests in his letters great solicitude to show that these communications were official. But were they indeed so? The first was, to all apparent intent, a mere private letter, in which M. Talleyrand expressed his private sentiments, and purported to narrate certain facts for the mere information of his correspondent. That correspondent took the liberty, which indeed he was intended to take, of exhibiting this letter, still as a matter private and unofficial, to Mr. Murray, and apologized for the liberty accordingly. Talleyrand, in return, approved of the step, as one becoming the frankness and candor of his own character, and, asserting the friendly dispositions of himself and the Directory, begged M. Pichon to assure Mr. Murray of their sincerity, and to prevail upon him to transmit them to his government. And all this rhodo-

montade, transparent as it was, Mr. Adams pretends to have considered as perfectly satisfactory, as a regular diplomatic communication, and says that he would have been degraded if after that he had refused to institute a negotiation. But Mr. Adams' experience in negotiation should have taught him that this, even if official, amounted to nothing, and that it was not official because Talleyrand had no authority in the matter; that in the Directory was vested all power, and that by dismissing him or even by a mere disavowal of his acts they could, and, if they had considered it expedient, would have thus nullified the overture. French faith did not then stand on so high a ground as to render the use of the power improbable. But there are still more important facts connected with Mr. Adams' statement.

Mr. Gerry's letter from Nantasket roads, was dated on the 1st October, before the meeting of Congress. His visits to Mr. Adams at Quincy also took place before that occasion. Mr. Logan's visit occurred previous to the session; the reception of many other of the inofficial letters which, in the year 1809, Mr. Adams supposed to have been so influential upon his opinions, preceded it. Yet Mr. Adams, with all these things before him, in his opening speech of the 8th of December, after mentioning the failure of the last mission and the continued aggressions of France, stated that "nothing was discoverable in the conduct of France which ought to change or relax our measures of defence; on the contrary, to extend and invigorate them was our true policy;" and further, "that TO SEND ANOTHER MINISTER, WITHOUT MORE DETERMINATE ASSURANCES THAT HE WOULD BE RECEIVED, WOULD BE AN ACT OF HUMILIATION TO WHICH THE UNITED STATES OUGHT NOT TO SUBMIT." Again, in reply to the responsive address of the Senate, he said, on the 12th of the same month, "I have seen no real evidence of any change of system or disposition in the French republic towards

the United States." Finally, the report of the Secretary of State, of the 18th of January, which must be supposed to have conveyed the sentiments of the Executive, and which had passed the President's own revision, and was by him communicated to the House, had moreover contained sentiments of the same nature not less plainly expressed.

Such then, were the opinions which Mr. Adams entertained *at the time*, of the degree of credit to be given to these assurances, or at least, the opinions which he *expressed*, concerning them; and yet, when ten years after, he undertook to defend himself from the charge of inconsistency, he did not hesitate to connect Talleyrand's letter to Pichon, with this mass of private suggestion and hearsay, and declared the former a perfect compliance with the requirements of his message of June 21st, and the latter to have been confirmation strong of its good faith, in disregarding which, he would have disgraced his country.

It has been said that the revocation by France, of the decree of October 29th, as heretofore mentioned, was a confirmation of these professions. If that decree had indeed been anything real; if a sincere desire was manifested by the Directory, to redress the injuries committed, or to prevent their future recurrence, then indeed, Mr. Adams might have cited it as a reason for changing his original opinion, though he could hardly be justified on that ground, in stating that opinion to have been what it was not. But what was the truth respecting this revocation! It was utterly illusory—was so considered by Mr. Adams himself, and so stated by him in the message which announced it to Congress;[a] for he then said, "But if the execution of that arrêt be suspended, or even if it were repealed, it should be remembered that the arrêt of the Executive Directory of the 2d March, 1797, remains in force, the third article of which, subjects explicitly and

[a] Message of Feb. 15, 1799.

exclusively, American seamen to be treated as pirates, if found on board ships of the enemies of France." And that Mr. Adams' change of policy was not put on this ground is further evident, from the fact that he does not himself allude to it as a motive.

So much for the value of these assurances, and the consistency of Mr. Adams' statements concerning them. Could it be supposed that the most morbid vanity, setting the inconsistencies of the thing aside, would contrive to extract nutriment for self-glorification from such concessions as these? Yet, to Cunningham he afterwards said, "The haughty Directory were obliged to humble themselves—retract all their declarations, and transmit to me the most positive assurances in several various ways, both official and unofficial, that they would receive my ministers, and make peace on my own terms;" and again, "the French government repented and reformed. Their humiliation and my triumph, were complete. Both struck the British ambassador so forcibly, that he said to me, 'to what degree of abasement will not the French submit to you! I was in hopes they would have persevered, and gone to war with you.'" And further, "If ever an historian should arise, fit for the investigation, this transaction must be transmitted to posterity as the most glorious period in American history, and as the most disinterested, prudent, and successful conduct in my whole life."[a]

When, President Adams continues in his own account,[b] he had received that authentic act of the sovereign authority of France, the letter of M. Talleyrand to M. Pichon, fully complying with all his requisitions, upon mature deliberation he concluded to nominate a minister to that republic. Some of the communications from France had been accompanied with insinuations concerning the characters proper to be employed, which he thought excep-

[a] Letter XXX. [b] Boston Patriot, Letter IV.

tionable, and that they might be made a pretext for again rejecting a minister. He was aware, too, of the instability of their government, and that a division already existed in the Directory and the legislative assembly. A revolution then was to be expected, and the new government might not feel themselves bound by the assurances given by their predecessors. To avoid the possibility of these inconveniences, he provided as cautiously, and effectually against them as he could, in his message to the Senate.

The message was in these words:

February 18, 1799.

GENTLEMEN OF THE SENATE:

I transmit you a document which seems to be intended to be a compliance with a condition, mentioned at the conclusion of my message to Congress, of the 21st of June last. Always disposed, and ready to embrace every *plausible appearance of probability* of preserving or restoring tranquillity, I nominate William Vans Murray, our Minister Resident at the Hague, to be Minister Plenipotentiary of the United States to the French republic. If the Senate shall advise and consent to his appointment, effectual care shall be taken that he shall not go to France without direct and unequivocal assurances from the French government, signified by their minister of foreign relations, that he shall be received in character; shall enjoy the privileges attached to his character by the law of nations, and that a minister of equal rank, title, and powers shall be appointed to treat with him—to discuss and conclude all controversies between the two republics by a new treaty.

JOHN ADAMS.

Mr. Adams comments upon it as follows:

"In this manner, effectual provision was made against any and every possible insidious use of the insinuations concerning characters proper to be employed, and who would be likely to succeed. In this manner, also, provision was made against the possible, and, indeed, highly probable and fully expected revolution in the French government. Mr. Murray was not to advance a step towards Paris from the Hague, until after he should have received from the French government, whatever it might be, a repetition of assurances, officially communicated, that he in person should be received.

When this message was received in the Senate, it was postponed, as the greatest part of Executive business usually was, for consideration. A great clamor was raised among the members of the House of Representatives, and out of doors; and an abundance of squibs, scoffs, and sarcasms, in what were then called the federal newspapers, Cobbett's Porcupine and John Ward Fenno's United States Gazette. * * * * This was not all. Something

much more serious to me soon took place. A committee of the Senate called upon me, whether appointed on record, or whether by private concert, I know not. I was distressed, because I thought the procedure unconstitutional. However, I was determined that not one disrespectful word should escape me, concerning the Senate or any member of it, and to that resolution I carefully adhered; and in relating the conference with those honourable gentlemen, which shall appear in my next letter, the same decorum shall be observed."

The committee to which the nomination was, in the usual course of business, referred, consisted of Sedgwick, Stockton, Read, Bingham, and Ross, and it is supposed they are the persons alluded to. What actually passed, at that interview, is known only from Mr. Adams' account, and is probably given with customary inaccuracy. Some inference may be drawn from this paragraph, in a letter of the Secretary of State to Mr. Murray, of 10th July succeeding.

"Some of the President's real friends endeavoured to persuade him to withdraw the nomination. He was inflexible. Then they determined to put a negative upon it. The President heard that such was to be the report of the committee, in very pointed language, on the morning of the 25th. This he thought best to anticipate."

The committee of the Senate informed Mr. Adams, according to his account, that they came to confer with him on the subject of the nomination of Mr. Murray to France; that there was considerable dissatisfaction with it, and they desired to know why Mr. Murray was preferred to so many others abroad and at home. Mr. Adams replied, that Mr. Murray's abilities and character fitted him for the office, and that his motives for nominating him were, because the invitation from the French government had been transmitted through him, and because of his near residence to Paris. After some further conversation, and the suggestion by the committee of some other names, they informed him that a commission would be more satisfactory to the Senate and the public. Mr. Adams thereupon consented to nominate a commission, of which Mr. Murray was to be one.

Next morning he sent the following message:

February 25th, 1799.

GENTLEMEN OF THE SENATE:

The proposition of a fresh negotiation with France, in consequence of advances made by the French government, has excited so general an attention, and so much conversation, as to have given occasion to many manifestations of the public opinion; from which it appears to me, that a new modification of the embassy will give more general satisfaction to the legislature and to the nation, and perhaps better answer the purposes we have in view.

It is on this supposition, and with this expectation, that I now nominate OLIVER ELLSWORTH, Esq., Chief Justice of the United States, PATRICK HENRY, Esq., late Governor of Virginia, and WILLIAM VANS MURRAY, Esq., our Minister Resident at the Hague, to be Envoys Extraordinary and Ministers Plenipotentiary to the French republic; with full powers to discuss and settle by a treaty, all controversies between the United States and France. It is not intended that the former of these gentlemen shall embark for Europe, until they shall have received from the Executive Directory assurances, signified by their Secretary of Foreign Relations, that they shall be received in character; that they shall enjoy all the prerogatives attached to the character by the law of nations; and that a minister or ministers, of equal powers, shall be appointed and commissioned to treat with them.

JOHN ADAMS.

Mr. Adams continues:

"To these nominations the Senate advised and consented, and commissions were prepared. My friend, Mr. Henry, declined, on account of his age, and Governor Davie, of North Carolina, was appointed in his place. During all this transaction, no motion was made in the Senate to pass a resolution that a mission to France was inexpedient. With the despatches from Talleyrand before his eyes, I believe no member of the Senate would have been willing to record his name in favour of such a resolution, among the yeas and nays. The deputation of Senators made no remonstrances to me, against the mission or the diplomatic communications on which it was founded, but only against the missionary, Mr. Murray."[a]

There are some discrepancies in these remarks which deserve notice in the first place.

In what manner "provision was made against the possible insidious use of the insinuations, concerning characters proper to be employed," by appointing the very man

[a] Boston Patriot, Letter VI.

designated by Talleyrand, does not appear. This pretension to a selection of characters had been often condemned by him, as a most dangerous attack upon the independence of the country, and yet he now most unnecessarily yielded to it. Again, Mr. Adams takes credit to himself, that he demanded a repetition of assurances that his envoy was to be received, before he was to advance a step towards Paris. This precaution would have been wiser, had he adopted it when suggested by Wolcott, before the departure of the previous embassy. Now, however, if Talleyrand's assurances to Mr. Murray were sufficient to authorize a nomination, they were enough to justify a procedure to France. The *language* was certainly explicit, and could hardly be strengthened. Mr. Adams had himself called it "an authentic act of the sovereign authority of France, fully complying with all his requisitions," which, however, it was not. But he thus, as he says, provided against "the possible, and indeed, highly probable and fully expected" revolution in France. The inconsistency of this explanation is manifested by the fact that, in the next summer, *after* Talleyrand had renewed his assurances, the revolution took place; and THEN, notwithstanding that no fresh ones were obtained, the envoys were sent forward to a government entirely uncommitted.

Mr. Adams states that the deputation of Senators remonstrated, not against the mission, but against the missionary. In another place, he has said also, that they would not have dared to negative the nomination even had the majority disliked the measure, "which he knew they did not."

It is not definitely known whether the committee of the Senate did protest against the mission itself, though the inference is fairly deducible from the extract before given from the letter of Col. Pickering. That the majority disliked the measure, and would have negatived it but for

the addition of Henry and Ellsworth, is certain. The mischief, however, was done by the nomination, and no subsequent retraction could have cured it. The moment that the President of the United States named a minister to France, based upon assurances of Talleyrand, that moment he recognised the sincerity and truth of all the assertions on which those assurances were predicated. Thenceforward it was impossible to repair the error, because the success of active measures against France depended upon the public conviction that those alone could ensure justice from her, that her faithlessness rendered negotiation impossible. In the words of Mr. Jefferson, the nomination "silenced all arguments against the sincerity of France and rendered desperate every further effort towards war."[a]

But whether he expected or not, that the measure would be defeated in the Senate, it is well known that he expressed at different times, views so contradictory with respect to its result, that if sincere, he was at least inconsistent. It has been supposed that even though in his own opinion he was actually necessitated to make a nomination, he at this time hoped that the ignominy of the mission would be evaded. The terms of his message seem to countenance the idea. He probably thought that Talleyrand, wearied with the farce, would refuse a repetition of the assurances, as on different occasions he ridiculed the idea that the embassy would terminate in peace, asserting that France would not accommodate on terms admissible by the United States, and that the effect to be expected was the demonstration of this truth and the union of public opinion in favor of war.[b]

Among the various hypotheses upon which his conduct has been explained, it has been asserted that Mr. Adams wished the Senate to assume the responsibility of refusing

[a] Jefferson's Writings, III. 420. [b] Hamilton's Letter, p. 33.

their sanction to the mission. In this event, the nomination would on his part have proved a sop to Cerberus, an act which might conciliate for himself the good will of those among the opposition whom he sought to please, and would render the federal senators the scape-goats of what unpopularity would arise from its defeat. The unsettled state of his mind upon the subject was perceptible at the time. In the language of a gentleman, high in standing at the seat of government, as contained in a letter to a friend, of February 21st, "the President was suffering the torments of the damned at the consequences of his nomination."

To show that the opposition to this measure did not, as Mr. Adams has asserted, originate in the factiousness of the Senate, or in the ambition of Hamilton, and the subserviency of his friends, it will be sufficient to quote the authority of one whom he has cited as in his own favor, Gen. Washington.

"The unexpectedness of the event communicated in your letter of the 21st ultimo, did, as you may suppose, surprise me not a little. But far, very far, indeed, was this surprise short of what I experienced the next day, when, by a very intelligent gentleman, immediately from Philadelphia, I was informed that there had been no *direct* overture from the government of France to that of the United States for a negotiation: on the contrary, that M. Talleyrand was playing the same loose and roundabout game he had attempted the year before with our envoys, and which, as in that case, might mean anything or nothing as would subserve his purposes best.

Had we approached the ante-chamber of this gentleman when he opened the door to us, and there waited for a formal invitation into the interior, the governments would have met upon equal ground, and we might have advanced or receded according to circumstances without commitment. In plainer words, had we said to M. Talleyrand through the channel of his communication, 'We still are, as we always have been, ready to settle by fair negotiation all differences between the two nations upon open, just, and honourable terms; and it rests with the Directory (after the indignities with which *our* attempts to effect this have been treated) if they are equally sincere, to come forward in an unequivocal manner and prove it by their acts;' such conduct would have shown a dignified willingness on our part to negotiate, and would have proved their sincerity on the other. Under my present view of the subject, this would have been

the course I should have pursued; keeping equally in view the horrors of war and the dignity of the government."[a]

Mr. Hamilton's account of what took place at the cabinet council at the beginning of the session has been given. That of Mr. Adams should also be noticed. On this subject, he says:

"There is something in the 24th page of a graver complexion. It is said that the session which ensued the promulgation of the despatches of our commissioners was about to commence. This was the session of 1798. 'Mr. Adams arrived at Philadelphia. The tone of his mind seemed to be raised.'

Let me ask a candid public, how did Mr. Hamilton know anything of the *tone* of Mr. Adams' mind, either before or at that conference? To make the comparison he must have known the state of Mr. Adams' mind at both these periods. He had never conversed with Mr. Adams before, nor was he present at that conference. Who was the musician that took the pitch of Mr. Adams' mind at the two moments here compared together? and what was the musical instrument, or whose exquisite ear was it that ascertained so nicely the vibrations of the air and Mr. Adams' sensibility to them? Had Mr. Hamilton a spy in the cabinet, who transmitted to him from day to day the confidential communications between the President and the heads of department. If there existed such a spy, why might he not communicate these conferences to Mr. Liston or the Marquis d'Yrujo, as well as to Mr. Hamilton? He had as clear a right. I believe that all the privy councillors in the world, but our own, are under an oath of secrecy; and ours ought to be; but as they are not, their own honour and sense of propriety ought, with them, to be obligations as sacred as an oath.

The truth is, that I had arrived at Philadelphia from a long journey, which had been delayed longer than I intended, very much fatigued; and as no time was to be lost, I sent to the heads of departments to consult, in the evening, upon the points to be inserted in the speech to Congress, who were soon to meet.

My intention was, in the language of the lawyers, merely to break the questions, or meet the points necessary for us to consider; not intending to express any opinion of my own, or to request any opinion of theirs on any point; but merely to take the questions into their consideration, and give me their advice upon all of them at a future meeting.

I observed, that I found by various sources of information, and particularly by some of the newspapers in Boston and New York, that there was a party who expected an unqualified declaration of war against France.

These paragraphs, I was well satisfied, were written by gentlemen who were in the confidence of Hamilton, and one of the heads of departments at least, though I gave them no intimation of this.

I said to the gentlemen, that I supposed it would be expected of us, that we

[a] To Timothy Pickering, March 3d, 1799. Sparks, XI. 402.

should consider this question, and be able to give our reasons for the determination, whatever it might be.

The conduct of the gentlemen upon this question, was such as I wished it to be upon all others; not one of them gave an opinion either for, or against a declaration of war. There was something, however, in the total silence and reserve of them all, and in the countenances of some, that appeared to me to be the effect of disappointment. It seemed to me that they expected I should have proposed a declaration of war, and only asked their advice to sanction it; however, not a word was said.

That there was a disappointment, however, in Hamilton and his friends, is apparent enough from this consideration: that when it was known that a declaration of war was not to be recommended in the President's speech, a caucus was called of members of Congress, to see if they could not get a vote for a declaration of war, without any recommendation from the President, as they had voted the alien and sedition law, and the army. What passed in that caucus, and how much zeal there was in some, and who they were, Judge Sewall can tell better than I. All that I shall say, is, that Mr. Hamilton's friends could not carry the vote.

My second proposition to the heads of departments was, to consider, in case we should determine against a declaration of war, what was the state of our relations with France; and whether any further attempt at negotiation should be made. Instead of the silence and reserve with which my first question was received, Mr. Hamilton shall relate what was said.

Mr. Hamilton says: 'It was suggested to him (Mr. Adams) that it might be expedient to insert in the speech a sentiment of this import; that after the repeatedly rejected advances of this country, its dignity required that it should be left with France in future, to make the first overture; that if desirous of reconciliation, she should evince the disposition, by sending a minister to this government; he would be received with the respect due to his character, and treated with in the frankness of a sincere desire of accommodation. The suggestion was received in a manner both indignant and intemperate.'

I demand again, how did Mr. Hamilton obtain this information? Had he a spy in the Cabinet? If he had, I own I had rather that all the courts in Europe should have had spies there; for they could have done no harm by any true information they could have obtained there; whereas, Hamilton has been able to do a great deal of mischief, by the pretended information he has published.

It is very true, that I thought this proposition intended to close the avenues to peace, and to ensure a war with France; for I did believe that some of the heads of departments were confident in their own minds, that France would not send a minister here.

From the intimate intercourse between Hamilton and some of the heads of departments, which is demonstrated to the world, and to posterity, by this pamphlet, I now appeal to every candid and impartial man, whether there is not reason to suspect and believe; whether there is not a presumption, a violent presumption, that Hamilton himself had furnished this machine to his correspondent in the Cabinet, for the very purpose of ensnaring me at unawares; of ensuring

a war with France, and enabling him to mount his hobby-horse, the command of an army of fifty thousand men—ten of them to be horse.

Hamilton says, 'the suggestion was received in a manner both indignant and intemperate.' This is false. It is true, it was urged with so much obstinacy, perseverance, and indecency, not to say intemperance, that at last, I declared I would not adopt it, in clear and strong terms.

Mr. Hamilton says, 'Mr. Adams declared, as a sentiment he had adopted on mature reflection, that if France should send a minister here to-morrow, he would order him back the day after.'

Here I ask again, where, how, and from whom did he get this information? Was it from his spy in the Cabinet? Or was it the fabrication of his own 'sublimated, eccentric,' and intemperate imagination? In either case, it is an entire misrepresentation.

I said, that when in retirement at Quincy, the idea of the French government sending a minister here, had sometimes occurred to me; my first thoughts were, that I would send him back the next day after his arrival, as a retaliation for their sending ours back; and because the affront offered to us had been at Paris, publicly, in the face of all Europe; the atonement ought to be upon the same theatre; and because, as the French government had publicly, and officially declared that they would receive no minister plenipotentiary from the United States, until the President had made apologies for his speeches, and answers to addresses, they ought to be made to retract and take back that rash declaration on the same spot where it had been made. They might send a minister here, consistently with that offensive declaration. This was my first thought; but upon mature reflection, I saw that this would not be justifiable; for, to retaliate one breach of principle by another breach of principle, was neither the morality nor the policy that had been taught me by my father and my tutors.

One principle was, that the right of embassy was sacred. I would therefore, sacredly respect it, if they sent a minister here. But I would not foreclose myself from sending a minister to France, if I saw an opening for it, consistent with our honour; in short, that I would have both doors, and all doors wide open for a negotiation. All this refutation came from myself, not from the heads of departments.

All that he says in this place, and in the beginning of the next page, of my wavering, is false. My mind never underwent any revolution, or alteration at all, after I left Quincy. I inserted no declaration in my speech, that I would not send a minister to France; nor any declaration, that if France would give assurances of receiving a minister from this country, I would send one. Nothing like that declaration was ever made, except in my message to Congress, of the 21st June, 1798, in these words: 'I will never send another minister to France, without assurances that he will be received, respected, and honoured as the representative of a great, free, powerful, and independent nation.' This declaration, finally effected the peace.

Both the doors of negotiation were left open. The French might send a minister here without conditions—we might send one to France upon condition of a certainty that he would be received in character.

What conduct did the French government hold, in consequence of his declaration? They retracted their solemn and official declaration, that they would receive no minister plenipotentiary in future from the United States, without apologies from the President for his speeches, and answers to addresses. They withdrew, and expressly disavowed all claims of loans and douceurs, which had been held up in a very high tone. They even gave encouragement—I might say they promised, to make provision for an equitable compensation for spoliations. They promised to receive our ministers, and they did receive them, and made a peace with them—a peace that completely accomplished a predominant wish of my heart for five and twenty years before: which was to place our relations with France and Great Britain upon a footing of equality and impartiality; that we might be able to preserve in future, an everlasting neutrality in all the wars of Europe."[a]

Whether Col. Pickering, Mr. McHenry, or Wolcott, was intended as the "spy in the cabinet" is not known, and is of little consequence. They all lay under the ban of being friends of Mr. Hamilton, and two of them at least were in correspondence with other friends of his in Boston. It is proper to mention, however, that the pamphlet from which his account is extracted was submitted to Wolcott before publication, and that in his written remarks upon it there is no dissent expressed to these assertions. It is therefore to be understood that it was corroborated, even if not originally communicated by him. Now what were the facts as to a breach of official decorum and secresy?

Mr. Adams had already incurred the suspicion of his political friends and supporters by his intemperate conduct, by his inconsistency, by his ill-concealed animosities. He had exhibited a jealousy and want of confidence in his secretaries. He had absented himself from the seat of government during the recess of Congress, to the detriment of public business, at times when constant personal attention and free communication with the officers was necessary. He had thrown additional responsibility on their shoulders at the same time that he manifested a distrust of them. He had buried himself in retirement, accessible only to men either hostile to his party, or whom interested

[a] Boston Patriot, Letter XVIII.

and personal motives induced to work upon his vanity or his resentment. He had, during the autumn, sought in Gerry and others of like views, the counsel which he did not ask of his legitimate advisers.

And how stood the cabinet? Isolated from the Executive; deprived of their just and proper influence upon his decisions; responsible to public opinion for acts over which they possessed no control; left to conduct the business of the nation without his assistance, and yet liable to his reversal; with no opportunity of enforcing their views by argument or evidence; their situation was at once irksome and oppressive.[a] To Mr. Adams personally they owed nothing; appointed, with one exception, by his predecessor, he found them representatives of that predecessor's opinions, and of those of his party. Wolcott at least—it is believed all—had signified their readiness to yield their offices to his disposal. He had declined that offer. He therefore retained them, such as they were, and knowing what they were. No further the agents of his will than that he could direct their administrative acts, they owed no fidelity but to duty, no allegiance but to their country. In advising with those who politically agreed with them, they exercised a right of which he could not deprive them, and one of which he, it seems, made no scruple of exercising with their enemies. Mr. Adams might dismiss his ministers; he could not regulate their faith. But Mr. Adams chose to depart from the policy of the federalists, and his cabinet adhered to it. They might have resigned—the interests of their party and the wishes of their friends prevented them. They retained their posts that they might prevent him from doing mischief. A fatal necessity had thrust such a chief

[a] Mr. Jefferson, in speaking of his own intended relations with his cabinet, when he had come into office, says:

"During Mr. Adams' administration, his long and habitual absences from the seat of government rendered this kind of communication impracticable—removed him from any share in the transaction of affairs, and parcelled out the government in fact among four independent heads, drawing sometimes in opposite directions."—Jefferson's Writings, III., p. 487.

magistrate upon the country; they were right in controlling his actions.

Mr. Adams, in the above extract, as he has done on all occasions, has shown that he supposed himself to be not merely an Executive, but the Ruler of the country—that he considered a species of allegiance as due to him, whatever course he chose to follow, and that difference from, or opposition to his will was in itself political treason. It will not be necessary to combat the idea. In theory, at least, with us, "*le roi regne mais ne gouverne pas.*"

But there was "a spy in the cabinet." If by this Mr. Adams meant that any member of the cabinet, on any occasion, ever revealed a measure which honor, propriety, or the welfare of the country required should be kept private, the assertion is unqualifiedly false. With regard to this particular piece of information, by whomsoever it was made known, it was communicated for the justification of the officers, it was published for the purpose of their vindication, and that only where the calumnies of the President had rendered necessary the knowledge of the truth, and when the interests of the party demanded that his inconsistencies should be exposed in order to counteract their consequences. Mr. Adams, indeed, was the last one who should have complained of a betrayal of secrets. The veil of the cabinet chamber was lifted by no one so freely as by himself. His sayings and doings were published, not only to his wife and friends, but in every tavern at which he stopped on his way to and from Philadelphia, and to every visitor at Braintree or the Executive mansion. Charges of the most grave and serious character were thrown out or insinuated by him against his secretaries, and yet they were bound not to furnish the means of disproving them.

The truth of Mr. Hamilton's account is, however, denied, and Mr. Adams has given his own, and a different, history of the interview; traversing the statement that he

changed his mind after conversing with his ministers. That he did once entertain the idea of sending back a French envoy, should one be sent, he admits, and that he altered that intention.

An assertion of that kind would neither have been made by Mr. Hamilton, nor endorsed by Wolcott, without consideration. The fact was meant to be deliberately stated, and upon their responsibility. It is then a direct question of veracity. Now Mr. Hamilton's pamphlet appeared in the summer of 1800; Mr. Adams' letters in the year 1809. The probability of correct recollection, at least, is in favour of the former; and as the facts were within the knowledge of five persons besides the President, and two of those persons had at the time sided with him in his views of policy, it is unlikely that a statement would have been hazarded which would have been known to them to be false. Mr. Adams' occasional violence of temper has been already shown. The very explanation he has given is one instance of it, as no man of sane mind would have for a moment admitted such a thought; another is to be found in his remark to Mr. Jefferson in the preceding summer, "that he would not unbrace a single nerve for any treaty France could offer, such was their entire want of faith and morality,"[a] an observation of singular imprudence and impropriety. Mr. Adams, then, was at least capable of what has been attributed to him. But, beside the direct testimony of Hamilton and Wolcott, there is also that which is derived from the impeachment of Mr. Adams' own evidence. So many after-thoughts have been exposed in other parts of his narrative, that it is but fair to believe that prejudice and passion had discolored and distorted, in his own mind, every fact which affected those against whom they were directed.

[a] Jefferson's Writings, III., 391.

There are other observations which may be made in proof of this view.

Mr. Adams says that in sending for the heads of departments, after his arrival, his intention was merely to break the questions, not to ask their opinion or to give his own. Now he had previously asked Wolcott's opinion in writing, and that opinion had been prepared in consequence. He states, too, that the conduct of the gentlemen on the question of war was such as he wished it to be upon all others—they gave no opinion either for or against it. The wish shows a curious condition of mind, the assertion a remarkable obliviousness of fact. Of what use were his counsellors if they were not to give their opinions? Were they merely to enrol his decrees? But an opinion was given, and in writing, by one, that a declaration of war was inexpedient, as inconsistent with the public sentiment. Again he says, that the suggestion which was made that it should be left with France to make the first overture, he rejected as intended to produce war, although that suggestion was recommended and urged by the Secretary who had expressed his opinion against the war, and whose draught he in other respects adopted, it is to be supposed, as not incompatible with peace.

Such are some of the errors into which Mr. Adams has fallen in his endeavors to vindicate himself at the expense of others.

That there was a party who expected an unqualified declaration of war against France is unquestionable; more than this, there were those who considered that the honor and safety of the country demanded it. If ever, it is believed, there existed a righteous and good ground for war since the institution of nations, it existed in the year 1798, for a war by the United States against France. The heaped up outrages of years of piracy, of aggression and insult had formed a catalogue of wrongs which would have justified a war of extermination. Mr. Adams says

that he himself had, in the preceding summer, "animated the nation to war." It was not surprising, therefore, that this spirit should have prevailed. It was then a question of policy. And what did policy dictate? A war with France would have swept the ocean of her corsairs. It would have severed the connection between her and her West India possessions. It would have led to the seizure of Louisiana, which, nominally held by Spain, was in fact held in trust for her neighbor. It would have secured that bone of contention, the navigation of the Mississippi. It would have prevented that contingency which even Mr. Jefferson declared must be the signal of confining the French to high water mark, the occupation of New Orleans. In fine, it would have avenged the injuries we had received, and taught a lesson which more than one European power required; it would have preserved us from the depredations which continued through Napoleon's career, in spite of the boasted treaty, and from the insolence with which he received our ministers, and, most of all, it would have destroyed forever the poisonous influence of French jacobinism in America; it would have united the country, consolidated the tottering fabric of its institutions, and crushed the factions by which it was torn.

Experience has shown that no party in a republic can maintain its influence when opposed to an existing war. The fate of the federalists was sealed by their hostility to that of 1812; the fate of the jacobins hung by the slender thread of Mr. Adams' decision in 1798. So convinced was Mr. Jefferson of this truth, that in spite of his oft repeated declaration that the destinies of freedom in Europe depended upon the success of France in her wars of conquest and subjugation, in spite of his bitter opposition to every, even defensive measure, he was most careful to impress his confederates with the necessity of supporting the administration in carrying out the war, if declared.

But there was another party also, who advocated a less bold, though an equally firm policy, and of these was Wolcott. The course he was desirous of pursuing was an adherence to the defensive system, the species of armed neutrality which had been adopted by Congress, including the abrogation of treaties and reprisals for depredations. The arguments in favor of this course were the less expense attending it; the greater facility which it held out for eventual accommodation; the fact that if war was ultimately to be resorted to, time would thus be gained for preparation. Privateering and the forcible defence of our merchant service would prepare seamen for the navy, and the national marine would in the meantime be increased. On shore discipline would create the nucleus, at least, of an army. In both services, stores and materials would be collected on a scale adequate to efficient operations. Viewing this plan, however, with the light of subsequent experience, it seems probable that actual war was the wiser policy. Half measures are seldom of ultimate expediency. Until war was declared, the opponents of government could still attack it with force; the burden of additional taxation would be felt, while its necessity would be less obvious; unpopularity would follow the administration, and its very defenders would in time lose the spirit requisite for its successful support. The moment that it was entered upon, opposition would be treason; national pride and the warlike character inherent in republics would be roused, political divisions would be forgotten; success would bring with it popularity, and temporary defeat would awaken only more determined exertion.

The allegation originally advanced by the friends of France, and endorsed by Mr. Adams after his breach with his party, that it would have produced a more intimate connexion with England, and tended to an assimilation of our constitution with hers, was a shallow clap-

trap. No where did a stronger feeling of hostility to the British exist than among the federal leaders, for almost every one had borne arms against her; all had suffered in the war which shook off her yoke. No where were there firmer republicans; they had all contributed to the establishment of republican institutions. Had they been otherwise disposed, they could hardly have been so infatuated as to look for the materials of monarchy in the fermenting mass of popular excitement which our country displayed. Theirs was not the period nor the condition in which monarchy was to be apprehended, nor was theirs the party from which it could spring. An alliance with England might have taken place, but it would have been an alliance for common defence.

But of all measures the one which was certain to prove fatal was renewed negotiation, under the circumstances in which it was now undertaken. It was a tacit confession of the alleged causes of failure in the former attempts, an admission of the justice of all attacks upon the previous conduct of the federalists. It was a retreat from a position deliberately taken and long defended, when retreat implied original error and wilful adherence to it. These considerations had been foreseen by the anti-federal party. They knew that with a declaration of war their power and influence fell; so long even as a merely defensive attitude was preserved, their situation was critical. They had too far opposed hostilities with France, under all her provocations, to yield themselves; their only hope was in forcing the administration to yield. To Mr. Adams they turned as a last resort, and his facility enabled them to accomplish more than they had hoped for. The means taken by Jefferson at the commencement of this administration to disarm Mr. Adams' suspicions of himself, by holding up a more fearful spectre in the likeness of Hamilton, and the success attendant thereupon, have been heretofore exhibited. The wily hint to

Mr. Madison that under certain conditions it would be expedient to come to an understanding with him as to his future election, as the "only sure barrier against Hamilton's getting in," will not have been forgotten. These suggestions had not ceased to operate, nor were similar means now neglected. Let the letters of Mrs. Adams reproaching Jefferson with duplicity towards her husband, let the Ex-President's own declaration, that Mr. Jefferson "always professed great friendship for him, even when, as it then appeared, he was countenancing Freneau, Bache, Duane, and Callender,"[a] be remembered; and it can hardly be doubted that the one was as capable of being the dupe as the other was of practising the deceit. It was not to the perseverance of Talleyrand alone that the adoption of this measure is attributable. Without the aid of allies or coadjutors in America he would have been unsuccessful. But assistance was not wanting. The careful concealment by Mr. Adams of his intention, the political character of the authorities, which he himself afterwards cited as having urged the measure upon him, the discrepancies between his assertions then and views subsequently expressed, his constant application of their popular catchwords, "war party" and "British faction," the nervous anxiety for his own popularity, and dread of that of Hamilton, which at this time he exhibited; all tend to show that democratic influences had produced a deep impression on his mind. Persuaded that peace with France, accomplished through his means, would remove the objections entertained against him by the anti-federalists; that the sacrifice of men whom he had been taught to regard as his own secret enemies, would be an atonement for past offences; assailed at once by flattery, by artifice, and by denunciation, he fell doubtfully and with hesitation, but irrecoverably, into the

[a] To Cunningham, Letter IV.

snare, and as a last manifestation of weakness turned his rage, not on those who had deceived him, but on those whom he had abandoned. Smarting under his feelings of resentment at the consequences of his errors, he thus discourses of the federalists in his Cunningham letters:

"This conduct should not have brought upon me disgrace. But the British faction was determined to have a war with France, and Alexander Hamilton at the head of the army, and then President of the United States. Peace with France was, therefore, treason against their fundamental maxims and reasons of state.

But if I had been too hasty in declaring that I would not send a minister, but upon certain conditions, why should the federalists endeavour to render me unpopular for this? IT COULD ANSWER NO END BUT TO TURN ME OUT, and they ought to have known that they could carry no other man in the Union; or to force me to retract my nomination of ambassadors, or suspend their voyage and supersede the negotiation altogether.

These were their motives, and they exhausted all their wit in studies and labours to defeat the whole design. A war with France; an alliance with England, and Alexander Hamilton, the father of their speculating systems, at the head of our army and the State, were their hobby horse—their vision of sovereign felicity. No wonder they hate the author of their defeat."[a]

The object of the party then, according to Mr. Adams idea, in opposing the mission, was to "render him unpopular," to "turn him out." A very obvious inference is, that his own object in instituting it was to render himself popular, to keep in. But they had, it seems, a further and ulterior design; they wished for war, that Hamilton might command an army, and through it, raise himself to the Presidency, and herein lay the clue to the mystery. Mr. Jefferson had said that the Hamiltonians were little less opposed to Mr. Adams than to himself, and Mr. Adams believing it, had shrunk from appointing Hamilton to the second rank in the army; hated the army after he was obliged to appoint him; and refused to create him Commander-in-Chief, after Washington's death. Now these circumstances, slight as they individually may appear, all

[a] Letter XXXIV.

tend to establish the fact, that the fear of Hamilton's influence with the army, if war took place, was one great motive with the President, in preventing that contingency at all hazards, by new negotiations.

The mission of 1799 was, in fact, the crowning effort of democratic skill and sagacity. The opposition saved themselves from the odium which impended. They defeated their political opponents in their strong hold. They destroyed the confidence of the federalists in their acknowledged head. They turned, in fact, the power of the leader to the destruction of his own followers. And, what rendered this achievement more admirable, they completely concealed from Mr. Adams the authors and the causes of his ruin. The peace with France, which he considered as his own peculiar work, in which he flattered himself he had shown his perfect independence; by which he considered himself to have thwarted the insidious designs of his cabinet, was brought about by the machinations of those who intended to destroy him; and who succeeded not only in doing so, but in directing his vengeance against others. Mr. Adams was in this the dupe, Mr. Gerry the agent, and Mr. Jefferson the plotter. The mission, was the offspring of the junto which had concocted the other operations of the campaign. The intrigue which effected it, has already been partially unravelled; to Mr. Gerry's biographer the world is indebted for another link in the chain of evidence.

"The apparently sudden decision of Mr. Adams' mind was the result of care, examination, reflection, and judgment. He had been at Quincy a chief part of the summer and autumn of 1798. His personal interviews there, and at Cambridge, had been most frequent, free, and confidential with Mr. Gerry; who early succeeded in dispelling those prejudices at his own conduct, with which it was first surrounded; and afterwards in impressing on Mr. Adams the views of American policy in relation to France, which his personal observation had matured. Mr. Adams departed for Philadelphia, persuaded of the correctness of those principles which Mr. Gerry had enforced, but alarmed and unhappy at the strength and combination, which in and around his cabinet, pressed on his attention others of a different character. The language of his speech, on the opening

of Congress, incites to military preparation, not so much for actual warfare, as a weapon of diplomacy. It is easy to perceive in it the change his mind had undergone. His expurgation of the Secretary's animadversions on Mr. Gerry, is of similar tendency. The repeal of the French arrete of 20th October, 1798, communicated to Congress on 15th February, 1799, was in further aid of his new views. Talleyrand's letter to Pichon, of 28th September, 1798, which was indeed, but a repetition of Talleyrand's constant language to Mr. Gerry, completed his conviction, and the new mission was instituted, which, in his own language, saved the peace of the nation. The success of this mission, honourable as it was to the political character of the President, was yet in strong confirmation of the sentiments and policy of his opponents. It made their prophecy fact, and largely contributed to that change in public affairs which, in a few months, placed the power of the government in their hands. THE REPUBLICAN PARTY RALLIED UNDER THE EXCITEMENT OF THESE NEW EVENTS."[a]

It has been shown, it is believed conclusively, that this fictitious repeal had no weight whatever with the President, and that no credit was, in reality, to be given to Talleyrand's professions. It has been shown also, that Mr. Gerry himself considered that Talleyrand had abused him. Did he, could he have made these representations, so entirely contradictory, for any other purpose than to lure his credulous friend into an act which would certainly result in his downfall, and the success of his own confederate?

The measure itself has now been examined. It remains to say a few words on the manner in which it was instituted. And first, Mr. Adams' reasons.

"I knew that if I called the heads of departments together, and asked their advice, three of them would very laconically protest against the measure. The other two would be loath to dissent from their brethren, and would more moderately and mildly concur with them. The consequence would be, that the whole would be instantaneously communicated to A. B. C. D. E. F. &c., in the Senate, and G. H. I. &c., in the House of Representatives; the public and the presses would have it at once, and a clamor raised, and a prejudice propagated against the measure, that would probably excite the Senate to put their negative on the whole plan. * * * * On the other hand, by making the nomination on my own authority, I believed that the heads of departments would have some discretion; and although I knew that the British faction would excite a clamor, and that some of the Senators, Representatives, and heads of depart-

[a] Austin's Life of Gerry, II. p. 300.

ments would make no exertions to discountenance it; yet I was so perfectly convinced of the national sense, and that the Senate felt it so strongly, that they would not dare to negative it, even if the majority had disliked it, which I very well knew they did not."[a]

These unjust and scandalous remarks were provoked by the strictures of Mr. Hamilton on Mr. Adams' course. A single observation will dispose of them, so far as concerns the ministers. Had they been founded in truth, Mr. Adams was inexcusable in retaining in office, men who possessed no stronger claims upon his confidence. But, like most of the motives subsequently assigned by him in palliation of his eccentricities, the origin of this abuse is to be found in the suggestions of disappointed ambition, and of treasured revenge. Mr. Adams knew that the Secretaries would disapprove of the measure! True, and if he had consulted them, they would have assigned abundant, and cogent reasons for their disapproval. "The ablest man," says Hamilton, "may profit by advice. Inferior men cannot dispense with it; and if they do not get it through legitimate channels, it will find its way to them through such as are clandestine and impure."[b] There were other counsellors whose advice was listened to by that Executive, when the opinions of the Cabinet were disregarded or unsought. Mr. Adams might have supposed, without undervaluing his judgment, or detracting from his independence, that arguments might have been adduced by some one out of the five ministers, that would have been of service even to himself. His omission to ask their views, was a slight to them; it was a departure from established usage—from the course presumed by the Constitution, and recommended by good sense. However fixed his own determination was, it was due to the Secretaries, that they should have an opportunity of recording their sentiments against a measure in

[a] Boston Patriot, Letter X.

[b] Hamilton's Letter, p.

which they might otherwise be charged with acquiescence. By this step, Mr. Adams distinctly drew the line between himself and the Cabinet; and, in setting them at defiance, absolved them from whatever consideration they might have deemed due to him. From this time they were separate, and it might prove, conflicting powers in the State.

The subject of "the British faction" will be hereafter referred to.

CHAPTER IV.

SUMMER OF 1799.

THE mischiefs which have been mentioned, were not the only ones which arose from institution of the new mission. After the breaking off of negotiations with France in the preceding summer, the Russian minister at London, had stated to Mr. King that a commercial treaty would be agreeable to the Emperor Paul, and also, that it would be a favorable time to negotiate with the Porte, in which Russia and England would assist. In consequence of this, Mr. King was in the beginning of February, empowered to negotiate at London, a treaty of commerce with Russia, and Mr. William Smith, then minister to to Portugal, to form a similar one with the Porte.

The suppression of the Turkish mission, which was in the beginning of May unanimously recommended by the Cabinet, was caused indeed, immediately, by other circumstances; but it was foreseen and predicted at the moment the nomination of an envoy to France was made, that both this and the negotiation with Russia would, by it, be rendered impracticable. The influence of Russia was at this moment paramount with the Porte, and without her assistance, or that of England at least, any attempt to obtain a treaty, would have been absurd. Little aid could be expected from either of these two powers, by a nation just about to make peace with their enemies. Accordingly, about the time that the renewed assurances

demanded of Talleyrand arrived, news came from Mr. King, that Russia, otherwise willing to enter into a commercial treaty with the United States, had suspended it, because we were about to treat with France; and thus was this most desirable object defeated for the time, and the treaty with Turkey still further delayed. The consequences were likewise felt in the coldness of Great Britain, and renewal of depredations upon our commerce.

A commercial arrangement, beneficial to the country, was at this time, however, effected in another direction. During the session, M. Bunel had arrived in the United States, commissioned by Toussaint to procure the restoration of commerce with the island of St. Domingo, which had been interrupted by the act of June 1798, prohibiting intercourse with the French dominions. An armistice had already been entered into with him by General Maitland, on the behalf of the British government, suspending hostilities on their part. Explicit assurances having been given that American commerce should not be molested; a clause was introduced into the act, passed this winter, by which the President was authorized, whenever he deemed expedient, to discontinue the restraints imposed by the previous law, as regarded the whole or any part of the dominions of France. The assurances of safety to our commerce being renewed, as also others given, that an agent should be received from the United States to watch over their interests, Dr. Edward Stevens was, as a first step, appointed Consul General to St. Domingo. General Toussaint having applied urgently, for some supplies of which he stood in need, it was resolved, after much hesitation, to permit them to be sent, and a small quantity was accordingly shipped, to be sold under the direction of the Consul. This provision created considerable discontent, on the ground of a supposed favoritism. The policy of the measure, as well as of all the steps taken during the negotiation, will ap-

pear at length, in a letter to the President, previous to the opening of the session of Congress ensuing.

Mr. Stevens sailed in March, with instructions as to the previous conditions of opening the trade.

TO SAMUEL SMITH.

PHILADELPHIA, March 20, 1799.

Mr. Stoddert has permitted me to peruse your letter of the 14th instant, and considering what has passed between us relative to the affairs of St. Domingo, I feel bound to give you a reply.

The treaty as it is called, between Toussaint and General Maitland, is understood to amount only to an armistice during the war. The British are not to attack St. Domingo, and the colonial troops of Toussaint are not to attack Jamaica. It is not stipulated on the part of Toussaint that the British shall have an exclusive trade. The views of the British government appear to be just and liberal, and not incompatible with our interests.

Doctor Stevens is not to treat with any British agent; his object is to persuade Toussaint to renounce privateering, and agree to other arrangements which will justify opening the trade, and there is good reason to think he will succeed. Nothing appears to have been proposed, discussed, or settled, between the British and Toussaint, respecting the independence of the island, and with this question the United States will not interfere. Our object is to gain a trade on safe principles; questions of interior policy and government are to be settled by the people of the island, and others concerned, in their own way.

As, however, I will not be insincere, or conceal an opinion on a subject, respecting which I profess to give information, I must add, that I believe the island will assert and maintain its independence. The French government is desirous of reducing the negroes to slavery, and confidence on the part of the blacks is utterly extinguished. The United States will doubtless be suspected by France of a political interference, but they will be suspected unjustly; as before asserted, the object of the United States is to extend their trade and to suppress privateering.

It was necessary to send out Doctor Stevens in a strong ship, and no public ship was in the United States, or expected at the time when the private ship was engaged. The only proper ship was Mr. Crammond's, who certainly is as much of an American as an English merchant. At any rate, there was no choice. The ship was not allowed to take out a cargo as you have heard. The shipment is confined to a few articles, which the Secretary of State was informed were exceedingly wanted; the whole business has been done under the particular direction of the Secretary, and Mr. Crammond is only to receive a sum equal to the hire of his vessel. The possibility of a suspicion that some individuals would be favoured, was foreseen and discussed, and this created great doubts and difficulty respecting the arrangement. It was thought improper, however, to

miss an opportunity of effecting an important object from mere apprehension of unfounded reports and jealousies. You may be assured that what has been done can at a proper time be vindicated, and that no person has been favoured. You will consider this as a private letter. I cannot consent that my name be used; if you are satisfied, you can say that you have enquired, and have received an explanation.

In April, General Maitland arrived from England to concert measures relative to a trade of the two nations with St. Domingo. Arrangements to this effect were made with him and Mr. Liston, the nature of which was satisfactory to the two governments, and perfectly fair as regarded the United States.

The conditions required of Toussaint having been complied with, and satisfactory assurances given therefor, the President on the 26th of June issued his proclamation, permitting the renewal of commerce with the island.

FROM ALEXANDER HAMILTON.

New York, March 21, 1799.

Dear Sir,

* * * *

It is a good principle for the United States to employ directly its own means; only do not let this be carried so far as to confine it to the use of inadequate means, or to embarrass the auxilliary means which circumstances may require.

The idea of the late President's administration of considering the Governor of each state as the first general of the militia, and its immediate organ in acting upon the militia was wisely considered, and in my opinion wisely adopted, and well to be adhered to.

In its final operation, it will obviate many difficulties and collisions, and by enhancing their importance, tend to draw the state Executives to the general government. Take good care that in the present instance the force be not inadequate.

Yours truly,

A. H.

FROM STEPHEN HIGGINSON.

Boston, March 29th, 1799.

Dear Sir,

It is to be lamented that Congress did not declare war against France last summer; it would have guarded us against the intrigues of France, the poison of

its agents and the follies of Gerryism. No use has been, or will be made of the powers given to the President by the alien and sedition acts; nor will the authority given him to raise an army, to organize and officer it, be exercised. We have a number here who have access to, and an influence with him by being obsequious, who will advise him to depend upon the militia as being competent to every demand which can arise, and as tending to increase his popularity and secure his future election; and although these men have before misled him in the case of the appointment of Knox, Hamilton, &c., and in that of Gerry, so that he has been obliged to tread back in a most mortifying manner the ground he had taken; yet so very fascinating is their mode of addressing him, that they impress him deeply, and have produced a coolness between him and his political friends, the only able supporters of him and his measures, when they are wisely taken.

The influence of these servile flatterers over him, and his coolness towards others more independent whom he used to confide in, was visible the last season; but his late nomination of Mr. Murray has increased both, the latter having reprobated the measure without reserve, except as to the integrity of intention, and the former seized the occasion to detach him from the men in whom only he ought to confide.

It is to be feared on public principles that K. G. L. and others, who have not a common interest with the community, will acquire such an influence over the President during the recess, as to separate him from his old and tried friends, and will dissuade him from every energetic measure, will discourage his using the powers given him by the constitution and laws, and start objections to his applying the resources of our country, as well as to his availing himself of the disposition of European nations to combine with us against the common enemy.

It is clearly their plan to recommend his suspending all exertions to put our country in an efficient posture of defence, to depend upon the militia whose minds they are poisoning by insinuations, that peace is the greatest of blessings, and is now clearly within our reach, and ought to be embraced. Upon this ground they warmly support his late nomination of Murray, and insinuate that all who have reprobated it are his secret enemies, and are envious of his reputation, and although they must know that this conduct is precisely such as the Directory would wish, and must tend directly to put the affairs of our country into the train they desire; still will those men persevere in their endeavours to discourage the President from any active measures, and from listening to any but men of like feelings and pursuits with themselves.

With respect, I have the honour to be, sir, your humble servant,

STEPHEN HIGGINSON.

TO FREDERICK WOLCOTT.

PHILA., April 2d, 1799.

There is a paltry insurrection here, which I am inclined to think will be subdued without difficulty. It may, however, be nursed into something formidable.

Pennsylvania is the most villainous compound of heterogeneous matter conceivable. Though there are many good men and good things, yet as a state it is bad in the extreme. The governor is an habitual drunkard. Every day, and not unfrequently in the forenoon, he is unable to articulate distinctly. The efficient powers of the government are exercised by Judge McKean and Dallas. Of these men I can sincerely say, that I believe them to be as vile as Porcupine represents them. What lies in their power towards promoting rebellion against the government, they will affect. McKean pretty openly supports the United Irishmen. One or two rascals who assaulted Brown in his own house, and were committed by the Mayor, were immediately released by the Judge.

The war in Europe will be continued, but I see no prospect of resistance to the French except by England. The King of Naples has, or probably will lose his Italian dominions.

FROM JOHN ADAMS.

Quincy, April 3d, 1799.

Sir,

I received yesterday your favour of the 25th of March, and thank you for the letter in it to Gen. Lincoln. I am glad to hear that the discontents in Northampton are not increasing. I wish the expense of marching a force against the malcontents could be laid upon them alone. Our elections are supposed to have gone very well, much better than had been feared and expected. In a violent snow-storm, this is written by, sir, your most humble

JOHN ADAMS.

This new insurrection, which, like the former, had its birth in western Pennsylvania, was the fruit of that licentiousness against which the sedition law had been directed. Symptoms of discontent had been manifested as early as February, and these rapidly increased in violence. On the 11th of March, the district judge officially informed the Secretary of State that a combination and treasonable opposition to the direct tax existed in Northampton county, and that it could not be suppressed but by force of arms. Proof was also sent by the marshal of a resistance to his authority conducted by a Captain John Fries, by which he was compelled to desist from the execution of process. This rebellion extended into Bucks and Montgomery counties. The next day the President issued his proclamation commanding submission to the laws, and on the 20th, a body of regulars were ordered to march and a

requisition made upon Governor Mifflin for a detachment of militia, which it was designed should be chiefly used in the suppression. The whole were put under the command of Brigadier General William McPherson, who had authority to call out any additional requisite force. The rebellion was speedily quelled, and (which had not been the case on the former occasion) a number of the actual ringleaders were taken in arms, among them Fries himself, who was brought to trial and convicted of treason. The events which grew out of this affair will hereafter be adverted to.

FROM URIAH TRACY.

LITCHFIELD, 8th April, 1799.

My Dear Sir,

I thank you for your letter of the 1st inst. and its enclosure, and will be under still further obligations to you to inform Mr. Attorney General Lee that I will answer his letter by next post, not having time now, as it has been Freemen's meeting here to-day. Kirby is, to the disgrace of this town, again chosen deputy, but he has no cause of triumph. I am mistaken, if his defeat is not written in legible characters on this day's proceedings; all the solid, respectable part of the town, without any preconcert or intrigue, voted against him, and the third time going round, he just obtained, by the aid of every tag-rag who could be mustered, and a whole winter of intrigue and very expensive intrigue too. He may triumph if he please, but his triumph is short-lived, for we shall soon show the ugly whelp his face in the glass. Connecticut is substantially right, and so is Litchfield. Please to pardon so much egotism or Litchfieldism. Present me most respectfully to Betsey and the little girls. Mrs. Tracy and my family join me in respectful remembrance to you and your family. Yours sincerely,

URIAH TRACY.

N. B. I am unwilling to tax you too much, but a line on the state of the Union and on the state of Europe, &c., would be vastly agreeable to me when your leisure will permit.

FROM CHAUNCEY GOODRICH.

HARTFORD, April, 1799.

Dear Sir,

I thank you for your letter. You will not let any untoward circumstance keep Mrs. Wolcott and the children too late in Philadelphia; an easy journey here will do her good, and she will here be most comfortable through the sum-

mer. All our friends are well; the long winter has made us torpid; we shall, after a while, put on our sheep-skins and crawl about.

The President's absence excites no general attention, a few speak of it among themselves with regret. *The internals* of the cabinet appear less generally known than I had foreboded. The disposition of the state is to cling to the public acts of the government. Freemen's meeting has passed with less excitement than ever known. A few Jacobins will steal into the House—mere kittens, however.

The trade on the river begins to look up—our vessels quite successful—great deal of ship-building going forward. The scarcity of forage is a serious calamity, we have no other. As yet the direct tax has caused less noise than the state dog tax. The commissioners are viewing some parts of the state; they mean to execute the principles of equality.

You have got General Fries. A firm execution of the law, only, towards the ringleaders, will satisfy public justice and sentiment. Perhaps McPherson's manifesto is right; we are too far off to say. Is it enough dignified and determined? Government should not cringe. It has been regretted by everybody the troops did not march earlier.

Write when you have leisure. Give my best love to Mrs. Wolcott and the little girls. Mary Anne sends hers. Yours affectionately,

CHAUNCEY GOODRICH.

FROM THE PRESIDENT.

QUINCY, April 26, 1799.

Sir,

I return the two blank commissions signed, and am satisfied with the recommendations of Robert Chesley to succeed his father.

If a real reformation should take place in Northampton county, in consequence of a conscientious conviction of their error and crime, it would be happy; but a cessation of opposition from fear only may last no longer than the terror. I am, sir, your most obedient,

JOHN ADAMS.

The inconsistency and want of purpose which, by a species of fatality, was destined to blast every act of this unfortunate administration, no where showed its effects more visibly than in what concerned the military affairs of the country. Mr. Adams' first step, as has been shown, produced warmth among the chief officers. His appointments among those of lower, but still important grades, and his general course as to the army, kept alive that

feeling. There was a fitfulness, an alternate precipitancy and unwillingness in his motions, which boded no good will to the service and certainly produced ill consequences. The bugbear of Hamilton, with his alleged ambition and dreaded popularity, was ever present to his mind. This fear, this jealousy is to be seen in every page of his writings; in the constant attempts to undervalue Hamilton's talents, to decry his patriotism, and to blacken his character. To the excited and nervous imagination of the President, the Ex-Secretary, and now Inspector-General, seemed to have possessed a malign ubiquity. He directed every motion, devised every plot, schemed, conspired, and intrigued. Looking upon the then Secretaries of State, of War, and of the Treasury, as the accomplices of this terrible personage, Mr. Adams feared in every recommendation, every suggestion, some covert design to further Hamilton's supposed interests at the expense of his own. He says in one place, "the heads of departments were exclusive patriots. I could not name a man who was not devoted to Hamilton without kindling a fire."[a] The remark, untrue in itself, yet indicates truly the direction of his own mind. To this morbid condition is attributable much of the capriciousness of Mr. Adams' conduct. It was sufficient for him that a measure was supported by those he disliked, to render that measure odious.

Besides the causes which necessarily arrested the organization of the new levies, obstacles had been from time to time interposed by himself. The delay had during the winter caused serious remonstrances from Washington, who seems to have attributed it to want of energy on the part of the Secretary of War. In March he wrote urgently to Mr. McHenry to enquire what kept back the commissions and the recruiting service. Blame, he said,

[a] Patriot Letters, p. 80.

was in every mind, but none knew where to fix it. Had the recruiting and organization followed the law, when the public zeal was at its height, the best men could have been procured. The opportunity had passed. The officers were becoming disgusted. Himself and Generals Hamilton and Pinckney had spent five weeks at Philadelphia making selections for the appointments, and after all they had been disregarded.[a] The reply of that officer in exculpating himself, showed the want of that coöperation on the part of the President, which alone could ensure efficiency. He says, in his letter of the 31st March, "When I spoke of the time we had lost, after all my proposals for augmenting the army had been rejected or procrastinated, what was the reply of the President on the 28th of October? He observed, 'as to the recruiting service, I wonder whether there has been any enthusiasm which could induce men of common sense to enlist for five dollars a month, who could have fifteen when they pleased by sea, or for common work on land? There has been no rational plan, that I have seen as yet, framed for the maintenance of the army. One thing I know, that regiments are costly articles every where, and more so in this country than in any other under the sun. If this nation sees a great army to maintain, without an enemy to fight, there may arise an enthusiasm that seems to be little foreseen.'" And this was from one who had "animated the nation to war;" who had urged measures of defence in his speeches to Congress; who had exhorted to all these preparations; whose countenance and vigorous support was necessary to their maintenance; whose lukewarmness was certain destruction. This speech was perhaps made under the influence of the resentment produced by the dispute on the relative rank of the generals, when his discomfiture was fresh upon his

[a] Sparks' Writings of Washington, XI. 406.

mind, but the same aversion to give efficiency to the little army continued, and the motive discloses itself involuntarily in the charges that Hamilton designed to use that force for his own aggrandizement.

The appointment of a new mission to France, had in itself been a death blow to the successful creation of a military force. Besides rendering it at once unpopular in the country as an unnecessary measure, it tended to discourage enlistments or the accepting of offices by those who sought them from motives of patriotism or the hope of glory and honor. None would thenceforward seek an employment which was destined to be of short duration, and which promised no result. It was a declaration that further hostile measures were superseded by a more peaceful alternative.

Yet notwithstanding this, Mr. Adams, soon after the adjournment of Congress and his departure from the seat of government, suddenly resolved on commissioning officers for the provisional army, and that before any progress had been made in recruiting the additional regiments, or they were even completely officered. And what were the inducements to this new determination? Washington saw in it, as he supposed, the evidence "that stronger indications of hostility had been received than appeared when he went away."[a] None such had, however, arrived. The explanation is to be sought in another direction, unless, indeed it sprung from an impulse without motive. The selection of these officers was to be confided, not to the Commander-in-Chief, but to the Senators of each state. Did not Mr. Adams thus hope to secure the appointment of men, who, owing nothing to the recommendation of Hamilton, would feel no interest or attachment to him? Did he not expect to find here, in the provisional army, a counterpoise to the influence of the

[a] To James McHenry, May 13, 1799. Sparks, XI. 431.

Inspector General with the regular army? The measure itself, though irreconcilable with Mr. Adams' own previous declarations and acts, was indeed considered as eligible by Washington; but the method of executing it was as inconsistent with good government as well could be.

Wolcott, as is known, had from the first preferred that the measures of the government should be directed rather to the appointment of the officers, the preparations of munitions of war, and the creation of a navy, than to the immediate recruiting of the army. In this opinion he was consistent, though he expressed himself ready and willing to give every aid depending on his department.

The acts for the protection of commerce already manifested their good effects. The merchant vessels were generally armed for self defence, and the depredations upon them were proportionately diminished. The little navy of the United States too, had began to give an earnest of its future usefulness and gallantry, and the victory of Truxton over the "Insurgente" was of itself no inglorious achievement. In regard to this affair, Mr. Tucker says: "The exploit was differently received by the two parties; whilst it was regarded by the federalists as adding cause of party triumph to the honest exultation of patriotism, the republicans saw in it an accession of strength to those whom they believed already too strong for the interests of the country, and a further widening of the breach with the only power which could save that country from a close and fatal connexion with England. It is, however, always an unfortunate position, and commonly a culpable one, in which a citizen cannot rejoice at the victories of his country."[a]

[a] 2 Tucker's Jefferson, II. 61.

FROM WILLIAM SMITH.

LISBON, February 3, 1799.

Dear Sir,

Always "better late than never;" your long and excellent letter makes ample amends, and claims my sincere thanks. With the business you have always on your hands, it was more than I had a right to expect.

We have received American news to 26th Dec., from an eastern port. The speech and the answers are good, on the ground of no declaration of war; but I question the policy of remaining in that state. I see much to be gained, and nothing lost, by putting the country in a state of war; and I should think this might be made evident to a majority of the House. The French having no commercial vessels, our measures against their vessels are, in fact, as hostile as they can be; but we lose the advantage of enforcing the act against alien enemies, and we expose hundreds of our ships to capture; for now our merchants, captains, and underwriters, expose themselves more than they would in a state of open war. They are deluded by every report of negotiation; every amicable profession; every idle paragraph, or scrap of fabricated letter. This would not be the case in a state of war, for then they would sail under convoy, or well armed, knowing that they would be subject to capture, until peace was actually signed. The French here, capture and condemn every one they can lay their hands on. Could they take as many of our vessels, if we were at open war? Certainly not. Would it not, moreover, be proper to recall all our citizens from France? Do they do any good there? I fear not; they could be better watched at home. Not being in a state of war, what documents are our vessels to produce at present? The treaty specified them; that being annulled, the French say we are bound by their ordinances, as other neutrals. Our captains have no guide; some think they must have a role d' équipage; others think not. Multitudes, relying on the goodness of their papers, rush into the jaws of the devouring monster, which respects no papers, but cartridge papers, the only proper ones now for our protection. There is no prospect of a repeal of their plundering decree; on the contrary, they now talk of extending them to the goods of Turkey, Russia, Portugal, and Naples, so that a bit of Naples shaving soap will be a cause of condemnation. The very sails of the ship, if of Russian materials, will condemn her.

I thank you for the statement of the Treasury, which I rejoice to find so flourishing. Wishing you continued success in your public and private concerns, and renewed assurances of my sincere esteem, I am, dear sir, your ob't servant,

WM. SMITH.

FROM GEORGE CABOT.

BROOKLINE, May 2d, 1799.

My Dear Sir,

I fulfil my own inclination, as well as promise, in mentioning to you that Mr. Gore, one of our Commissioners in London, at the expiration of his present ser-

vice, would willingly go to Constantinople or St. Petersburgh, or any other court, as Minister Plenipotentiary, if the government should need a person for such an employment, and should think him capable of serving them acceptably. Mr. Gore has formed himself for such an office by assiduous study and attention for ten years, and would certainly be well received any where; and I think could not fail to advance the reasonable views of the government.

The Jacobins have lately become more systematical, I think, in their electioneering projects, and have, in this part of the country, availed themselves greatly of those momentary discontents which naturally follow the promulgation of a new tax. We are taking some pains, however, to keep the people steady, and I hope, with a majority, these labours will succeed.

On a late visit to Quincy, I was treated with cordial hospitality, and with some confidence; but I was studiously (as I thought) prevented from speaking on those topics which so much engage public attention. I performed a duty in attempting it, and saved myself great pain in being defeated. Knox tells the President he has many good men about him—men of wise heads and honest hearts—but they are of a sort that will raise insurrection, if some of them be not dismissed. He only named Tench Francis, but it is easy to fill up the list. I wish he would name all himself, and describe their faults. Doubtless the public would highly commend much of that conduct he condemns. Mrs. Cabot sends to Mrs. Wolcott more love than I can express, unless I write to her. Your affectionate and faithful friend,

GEORGE CABOT.

FROM THEODORE SEDGWICK.

STOCKBRIDGE, 8th May, 1799.

My Dear Sir,

I perceive that a resolution is taken to raise the eventual army. Is this an act of the supreme alone, or does his council concur? The latter I hardly suppose possible. To my mind, no measure heretofore adopted; not even that which was founded on a "plausible appearance of probability" of the pacific disposition of Talleyrand, will aid so much the cause of disorganization. None of the events contemplated by the legislature, on which the power to raise the army was delegated, have, in my opinion, occurred. But is it intended that the force shall be raised, or only the officers appointed? Are these officers to be on pay, or to hold themselves subject to instant requisition without any compensation? Will they not, in any event, be entitled to pay from the time of their appointment, respectively? What will the jealous parsimony of our country say to such a state of things? Can men of the true honourable military spirit be found, who, under such circumstances, will accept appointments? When I compare the unaccountable remissness, in bringing into existence the force which was directed absolutely by the legislature, with the promptitude in the execution of this eventual measure, no language can express my astonishment. Believe me, truly your friend,

THEODORE SEDGWICK.

TO THE PRESIDENT.

PHILA., May 25th, 1799.

After a very laboured trial, Fries, who led the armed party at Bethlehem, has been convicted of treason. He continued tranquil until the verdict of the jury was returned, when and since, he has been much affected. His composure during the trial was not owing to stupidity, for though an illiterate man, he is not deficient in sagacity. He confidently expected to be acquitted, and his hopes are supposed to have been founded on the opinion of Mr. Lewis, who on all occasions since the commencement of the trial has declared that the offence did not amount to treason. Both of the judges were decided in their definitions of the crime, and the evidence was complete, both as to the acts done and of the intention to prevent the execution of the law. It is admitted on all hands that the trial has been fair and impartial; the jury was respectable, and two of them were persons, upon the bias of whose political sentiments, calculations favourable to to the prisoner were made. The jury received the charge at about six o'clock in the evening, when the court adjourned till ten. At the time appointed the verdict was returned—guilty.

I am told this morning of a circumstance which proves that the jury were governed by humane, delicate, and honourable sentiments. When they retired, it was agreed that, without previous argument among themselves, the opinion of each person should be given by ballot. By this trial, it was found that the jury were unanimous.

Thus has ended a trial which has excited the greatest attention, and upon the issue of which the tranquillity of this part of the country has greatly depended. Fries said, after the trial, to Mr. Wood (one of the chief clerks of my office, who is also a clerk of the prison) that *great men* were at the bottom of this business. I do not know his meaning. B. McClenachan, of the House of Representatives, was certainly an agitator among the insurgents, but I do not know, nor do I believe that the insurgents had any general views, other than to defeat the execution of the act of assessment. In general, the people are ignorant, strongly prejudiced against the measures of government, vindictive in their resentments, and, I fear, incapable of being influenced except by their fears of punishment.

FROM THE PRESIDENT.

QUINCY, May 17, 1799.

Sir,

I return the two commissions inclosed in yours of the 11th, signed.

The contracted law of North Carolina, if followed by all the states, would make short work with the federal government. What will be the result of these things? Such a law is enough to disaffect a whole state, and excite a rebellion against the United States. I am, sir, your most humble, &c.,

JOHN ADAMS.

FROM THE PRESIDENT.

QUINCY, May 17, 1799.

I thank you, sir, for your favour of the 11th, which I received last night. The termination of the trial of Fries is an important, an interesting, and an affecting event. I am unable to conjecture the ground of Mr. Lewis' opinion, and wish I had a sketch of them. Is Fries a native or a foreigner? Is he a man of property and independent, or is he in debt? What has been his previous life? industrious or idle, sober or intemperate?

It is of importance to discover, if possible, the *great men* alluded to by Fries in his observation to Mr. Wood, as at the bottom of this business, and the evidence of any agitator among the insurgents ought to be collected.

It is of moment also to ascertain whether the insurgents had any general views or extensive communications with others of similar dispositions in other counties or correspondences with other states. We ought also to inquire whether Fries is the most culpable among the guilty, if that can be known. It highly concerns the people of the United States, and especially the federal government, that in the whole progress and ultimate conclusion of this affair, neither humanity be unnecessarily afflicted, nor public justice essentially violated, nor the public safety endangered. I have the honour to be, sir, your most obedient and humble servant,

JOHN ADAMS.

FROM JEDEDIAH MORSE.

CHARLESTOWN, June 11th, 1799.

Dear Sir,

You will excuse my enclosing to you a number of copies of an address of our convention of ministers for the clergy in Philadelphia, as I hope it will be only promoting a *good cause*. The address is the fruit of a letter of the Boston association, a copy of which I also enclose. You will see by these things that the clergy are not asleep this way. They ought everywhere, indeed, to be awake. It may save you some trouble to hand the enclosed to Dr. Green, who will take care to distribute them as he may think proper. Please hand the sermon to him also. Governor Sumner's death is a very great loss both to his country and religion, for he was one of the best of men. I wish most sincerely that the P—t was at Philadelphia. He has given his ears to measures which I much fear are not friendly to our country at this time. They view with *approbation* rather than *concern* the *reported pacific overtures* of the French government, which, I conceive, are the most hostile they could possibly adopt to our true interests. I am infinitely more afraid of their *principles* than their arms, and peace would open a very wide door to the former, which have already done us a very great and incalculable injury. The most trying period in our political affairs, I fear, is not yet past. The recent defeats of the French may allow us time for a temporary respite, though it may be expected they may urge them (I mean the

French government) on to pursue to effect their insidious and fatal pacific system towards us. I pray God that our Executive and his council may be *wise*, UNITED, and *firm*, and guide us, under the Supreme Disposer of events, in the path of safety. With respects to Mrs. Wolcott, I am, in great haste, dear sir, with great affection, yours truly,

JEDEDIAH MORSE.

P. S. Pray, sir, can you trace the origin of the report of the massacre of the crew of the Ocean? Was any other ship's crew treated in that same inhuman manner? If so, I will thank you to communicate to me the intelligence as soon as you can.

TO THE PRESIDENT.

TREASURY DEP'T, June 13, 1799.

Attempts are making to draw into question the solidity of the public credit. I think I may say with confidence, that the credit of the United States is equal to that of any country in the world, and that it has suffered no recent diminution. Our payments have been punctually made in Holland, and there has never been a momentary hesitation in satisfying any well founded demand on the treasury. Our stocks are as high in Holland, as those of any nation; our 3 per cents. bear the same price in London as those of the British government; the course of exchange has long been in our favour from every part of Europe. The certificates for the 8 per cent. loan will not, indeed, at the present moment, command their nominal value. This is owing to various causes, but principally to the great demand for money for the East India trade. The loan itself having created a new demand for money, has had a tendency to raise the rate of interest. When the subscriptions shall have been completed and the stock found its natural level, we shall have a criterion for ascertaining the market rate of interest in the United States. At that rate only, whatever it may be, will it be just to expect future loans. It is certain that the last loan was not obtained on disadvantageous terms, in proof of which assertion it may be alleged that the stock formerly issued has suffered little or no depression. At present the discount on the subscription certificates is not greater than has been allowed on the best private notes, or even on the post notes of the bank in some parts of the southern states. The price of all securities must depend on the demand for money. This is great in the United States, owing to the variety of objects to which money can be profitably applied. * * * *

FROM THE PRESIDENT.

QUINCY, June 21, 1799.

Sir,

In your letter of the 13th, you hint that attempts are making to draw into question the solidity of the public credit; but you have not explained the par-

ticulars, and I am at a loss to conjecture the facts which you may allude to. Public credit can never be steady and really solid without a fixed medium of commerce. That we have not such a medium you know has been my opinion for several years. The fluctuations of our circulating medium have committed greater depredations upon the property of honest men than all the French piracies. To what greater lengths this evil may be carried, I know not. The Massachusetts legislature are authorizing a number of new banks. The cry is, the immense advantage to agriculture. Credit cannot be solid when a man is liable to be paid a debt, contracted to any, by one-half the value a year hence. I have the honour to be, sir, your humble servant,

J. ADAMS.

FROM JONATHAN TRUMBULL.

LEBANON, 22d June, 1799.

Dear Sir,

The enclosed letter for General Washington contains copy of a letter from my brother in London, which he requested me to communicate to that great and good man.[a] I send it open under cover to you, and pray you to read it with attention, and submit it to the view of our friend, Col. Pickering, and any others to whom you may think proper to make known the ideas of the writer. His project is a good one, but were our moral powers equal to our physical ones, some of us, I fancy, would not start at the magnitude of the object, but should wish the attempt God-speed and rejoice in the expectation of its success. After making such use of the letter as you may think proper, I pray you to seal and forward it to the General.

Let no one see my letter to the General, unless it be Col. Pickering; and if you disapprove of the hint I have given tell me so, if you please, and let me know your reasons. With respectful regards to Mrs. W., I am your affectionate,

J. TRUMBULL.

FROM STEPHEN HIGGINSON.

BOSTON, June 25, '99.

(Private.)

Dear Sir,

The state of things here is very much as in Philadelphia, New York, &c. The pressure for money with us may perhaps be rather less, but so great are our mercantile speculations in this quarter, that our merchants generally are pressed so much for money, as to sell their stocks, after borrowing all they can from the banks, and anticipating what they can by their bills on Europe, at a discount of from 5 to 7 per ct. The prospect of gain by commerce, is too flattering to be resisted by many; they will go into large engagements, trusting to events for raising funds to meet them on better terms than are now within their

[a] Vide Sparks' Writings of Washington, XI. 444.—*Note.*

reach; and the more cautious are generally embarked so far in trade, as to employ all the funds they have at command.

No combinations of people in trade can therefore, be effected, to buy up stocks, and prevent a depreciation of the new loan; and the money-holders who have retired from trade, and who live on their interest, &c., will not easily be induced to combine for that purpose. A moment like the present, is to such men, the time for harvest; their private interest is opposed to the object in view; and we must expect them to combine to reduce, rather than raise the price of stocks, that they may purchase with more advantage.

I was sorry to find the subscription for the loan run so high; it would have been eventually better, had the speculators not turned their attention to it; those who meant to be permanent holders of the stocks, would have subscribed the sum wanted, or more, and the injury to the public from the fall of the stock, and the jobbing of the speculators, will more than balance, it is feared, the reputation gained by the fullness of the subscription.

It will not be easy so to conduct a future loan, as to check the speculators. The subscription must be open to all, and the terms be tempting, and facilities given in making the payments, to induce the monied men to offer their capital; but no conditions can well be annexed to discourage speculation, that will not also deter those whom you wish to invite to subscribe. Should the speculators in the late loan suffer by the fall of the stock below the cost, and be thereby prevented from dabbling on future occasions, it will, in a good degree, perhaps, console you for an event which, in other points of view, may be unpleasant.

I do not believe that a future loan will be much impeded by a depreciation of the 8 p. ct. stock. The fluctuations it may be liable to, or experience, result from a source too obvious to affect materially, the opinions of domestic or foreign capitalists. These men observe too closely, not to trace such a depreciation to its true cause; and they discover clearly and quickly, when the terms offered are good, and the security ample. While therefore, the government has means obviously equal to its wants, while the sources of revenue are stable and abundant, to provide for clear and ample appropriations to pay the interest with punctuality, a proper rate of interest will ensure to you the use of the capitals intended for such objects.

The present prosperous state of our commerce is flattering, and tends to raise the reputation of our government for resources, &c.; but it also leads naturally to the inconveniences we experience, by alluring to enterprise and adventure beyond our capital, and by exciting a spirit of speculation which often obstructs the views and measures of government.

If you could rely fully on a regular system of wise policy in our national affairs, legislative and executive, I should apprehend no very great difficulties in effecting loans, protecting our rights and property, and rendering our country respected and happy; but there is not in either branch, so steady and regular an adherence to sound policy, and wise system, as I hoped and expected. The flattering appearances we lately had, of dignified independence, and spirited exertion to repel injury and insult, has too much, and too soon abated, either for our honour or our safety; we seem to be now in danger, unless events in Europe prevent, of being

insulted by a French missioner, and exposed to his intrigues, and the machinations of his partisans. It is expected that you and your brethren of the Cabinet, will not be deterred or discouraged from your usual exertions, to give and to preserve to our political ship a steady course, such as is supposed to have been intended to be pursued by the language of the last year; and to support you in the way, you may be sure of having the voice and aid of the great mass of the people.

But I must stop, or I shall speak treason; and shall therefore, only add, that I have the honour to be, with great respect, your humble serv't,

STEPHEN HIGGINSON.

TO NOAH WEBSTER.

PHILA., July 5th, 1799.

Your letter of May 14th, has escaped my attention, in consequence of the constant pressure of public business. I have no series of the Public Documents except one which is preserved in the office, and one which is reserved for my private use. The number which is printed is inconsiderable, and it is with great difficulty that I can obtain the copies which are wanted. I send you the document which you particularly request, and if you was here, I dare say I could furnish some other descriptions which would be useful to you. There has been no public vessel sent to Europe; and I do not think it probable that any will go this summer. If I find myself mistaken, I will inform you. We have heard rumours of our enemy, the yellow fever, but I am happy to find that the alarm is subsiding. I have observed what you say in your papers respecting the Commerce and Tonnage of the U. S.; in which you are correct, except that a greater allowance ought to be made, than perhaps you have contemplated, for captures of which we have no official information. In time of war, considerable errours of fact must exist in all accounts of navigation.

As Barras said to Monroe, *America presents a strange spectacle to the world.* It is much to be regretted, that there exists no great artist possessed of talents and leisure, to draw the picture, and to offer his counsel to our country. The United States are to expect no mediocrity of fortune. They have a good and a bad nature—the principles of both are vigorously contending for mastery, and it is uncertain how the matter will end.

I perceive that a new series of papers is to be published in the Spectator; perhaps the plan will admit of a general discussion of the affairs of the country; in which case, I will take the liberty to suggest some ideas.

TO JONATHAN TRUMBULL.

PHILA., July 16, 1799.

I duly received your obliging favour of June 22d, and regret that I have not been able to acknowledge it before now. The enclosures have been perused by Col. Pickering, and have been transmitted to Gen. Washington.

It will be improper for me while I hold an office, to exert any influence on the delicate subject to which you have hinted; and in the present state of our affairs, a discussion of the question among any considerable number of friends, may be hazardous. The demon of discord would have a wide range in our country, if it was known, or even suspected that Gen. Washington would consent to be a candidate. If it was known that any considerable number of influential characters were desirous that he should give his consent, even though the consent should be refused, malign circumstances would ensue. I can conjecture the thoughts of some of our friends, but I pray that they may not now be expressed.

I wish that I could afford time to make full comments upon the project of our friend, Col. Trumbull. It possesses the character of his mind, genius, energy, and patriotism. I fear, however, that it is a brilliant and pleasing vision, which cannot be realized. The United States are, I believe, incapable of engaging in such an enterprise; and the people of South America incapable of attaining or enjoying such blessings as are proposed, with the exceptions of the Peruvians, who, though the best of the South Americans, are far from being an enlightened people—there exists not a more degenerate race than the Spanish colonists. No person can, however, be so undiscerning as not to perceive that the dominion of Europe over America, is about expiring; and that the consequences must be very beneficial to the United States, and to every part of our continent. The revolution will not, however, in my opinion, be effected upon heroic principles; the temptations of luxury and avarice, will probably be substituted for virtue and patriotism. These are now operating with great activity, to subvert the miserable remnant of Spanish authority.

I presume that I am acquainted with all the propositions which have been made in England respecting South America; and I have no doubt that whatever is practicable by means of any military force which we can spare, can be accomplished without the risque or expense of a formal expedition. The United States and Great Britain have only to declare that they will co-operate in defending their commerce with those countries, and the dissolution of the colony system will follow of course. I have the honour, to be, with perfect respect, &c.

FROM ALEXANDER HAMILTON.

NEW YORK, Aug. 10, 1799.

I imagine, my dear sir, by the letter which the post of yesterday brought me from you, that you have supposed that something, not quite satisfactory to me, had occurred in relation to the erection of a hospital at Rhode Island. This, I assure you, has not been the case, nor has any thing come under my view which could lead me to think that there has been cause for blame in any quarter.

It happened that the Secretary of War, in requiring my agency in the matter, does not give me a simple direction to act, which would be warrant enough for me, but refers me to the law respecting the medical establishment as the source of my authority. There I find none to use, to purchase ground in fee simple,

and erect upon it a building for an hospital. For that, the power of the physician general, with approbation of the President, is alone competent, by the act.

I see not, however, if there be a fund (whether in the appropriations for contingencies or otherwise) why there may not be a building on any ground now of the United States, to be used either as barracks, or as a hospital; and certainly not why a temporary provision, by hiring of ground and buildings for the purpose, may not be made, either by the War or Navy Department.

As to the union of hospitals for navy and army, under one system of direction, so far as they are to be supported by the funds of the government alone, I perceive no objection to the law respecting the medical establishment; while I discover no inconvenience, I am clear the union will conduce to economy. Adieu, my dear sir, yours truly,

A. H.

TO JAMES McHENRY.

17th August, 1799.

I had written to Mr. Harper, and sent my note to the post office, before I received your note yesterday afternoon. What I have written will not, however, embarrass you in forming a decision of the propositions of ——— and ———; they wish for our exclusive right of trade, which cannot certainly be granted. My opinion has, you know, been somewhat different from yours on the subject of Indian trade. I consider the public establishments, as in every respect, nuisances; the capital must, from the nature of things, be lost. Abuses will be committed by the public agents, sooner or later; and it is impossible that the Indians should be well supplied.

The interest and policy of the government, in my opinion, requires that the Indian trade should rest principally in the hands of a few men of capital. The Indians require advances of certain articles on credit; the public cannot safely give this credit. The traders, if they be not mere pedlars, without capital or responsibility, will always be interested in preserving peace. War is destructive of trade. The government can always control real traders; though the pedlars will always be out of their power, and may frequently stimulate the Indians to mischief. My plan to keep the trade in few, but good hands, and to give up the public stores as soon as possible, without violating any public engagement.

On the 6th of March, the Secretary of State wrote to Mr. Murray, enclosing his commission as a joint envoy, and directing him to inform the French minister of foreign relations, by letter, of the appointment of Chief Justice Ellsworth, Gov. Davie and himself, and of the conditions, without which, the two former would not embark from the United States. He was also directed, that "no more indi-

rect and unofficial communications, written or verbal, should be held with any person or persons whatever, agents on behalf of France, on the subject of differences between the United States and the French republic." "If the French government," he was told, "really desired a settlement of the existing differences, it must take the course pointed out; [unless the Executive Directory should prefer sending a Minister Plenipotentiary to the United States]."

These last words, it deserves notice, were inserted in the draft by Mr. Adams himself. On the evening of the 10th, the heads of departments and the Attorney General, met the President at his house, by invitation, and after full discussion, agreed unanimously, the President assentings upon the point, which should govern the proposed negotiation, and without which no treaty should be made. These were, in substance, as follows:

1st. A stipulation on the part of France should be required, to indemnify the citizens of the United States for spoliations committed on their commerce, by armed vessels and citizens of France, and the sentences of her courts in prize causes.

2d. As vessels of the United States were not bound by treaty, to carry a *rôle d' équipage*, all captures, for want thereof, were to be considered unlawful; and in submitting to the commissioners, who might be appointed to adjust mutual claims, all those arising from this cause were to be excepted, as not admitting dispute.

3d. The United States were to make no guarantee of any part of the French dominions.

The day after these points were agreed upon, the President, in the midst of all the press of business incident upon the close of a session, precipitately left the seat of government for Quincy.

Things necessarily remained in this state until intelligence could be received of Talleyrand's answer to the

President's requisitions. Mr. Murray, on the 5th of May, addressed that minister, informing him of the appointment, and on the 12th Talleyrand replied.* This letter was sufficiently characteristic.

"I augur too well sir, from the eagerness you display in fulfilling the instructions of your government, not to hasten to answer the letter I received from you, dated the 15th of this month. [Floreal.]

The Executive Directory being informed of the nomination of Mr. Oliver Ellsworth, of Mr. Patrick Henry, and of yourself, as Envoys Extraordinary and Ministers Plenipotentiary of the United States to the French republic, to discuss and terminate all differences which subsist between the two countries, sees with pleasure that its perseverance in pacific sentiments has kept open the way to an approaching reconciliation. It has a long time ago manifested its intentions with respect to this subject. Be pleased to transmit to your colleagues, and accept yourself the frank and explicit assurance, that it will receive the envoys of the United States in the official character with which they are invested; that they shall enjoy all the prerogatives which are attached to them by the law of nations, and that one or more ministers shall be authorized to treat with them.

It was certainly unnecessary to suffer so many months to elapse for the mere confirmation, of what I have already declared to Mr. Gerry, and which after his departure, I caused to be declared to you at the Hague. I sincerely regret that your two colleagues await this answer at such a distance; as to you sir, whom it will reach in a few days, and who understand so well the value of time, when the restoration of harmony between two republics, which every thing invites to friendship is in question, be assured, that as soon as you can take in hand the object of your mission, I shall have the honour immediately to send your passports."

Mr. Murray's letter enclosing the above from Talleyrand, was received on the 30th of July, and immediately forwarded to the President. The Secretary of State in his letter to him observed, upon the language of Talleyrand's: "M. Talleyrand has not forgot the common practice of his government, to drop a reproach or insult, while making amicable professions. It was certainly not neces-

* It is a notable fact, that the letters of Talleyrand to Pichon, of August 28, and September 28, preceding, were, during this summer, published in the Examiner, a French American paper printed at Richmond, Virginia, accompanied by a certificate from Pichon himself, dated March 13th. As the President did not communicate these letters to the Senate until February 18th, when he nominated Mr. Murray, the presumption was, that they were communicated by the French government for publication in America, from apprehension that they would be disregarded by ours, and from the wish to excite discontent.

sary for him to insinuate, that the President of the United States was wasting many months of precious time, 'for simple confirmation,' that if new envoys were sent they would be received." Mr. Adams was not it appears, without a similar feeling at the indignity, though the position in which he had placed himself did not permit his withdrawal. In acknowledging on the 6th of August the receipt of these papers, he said:

"It is far beneath the dignity of the President of the United States, to take any notice of Talleyrand's impertinent regrets and insinuations of superfluities. You, or the envoys, or Mr. Murray, may answer them as you please in your correspondence with one another, or with the French minister.

I will say to you, however, that I consider this letter as the most authentic intelligence yet received in America of the successes of the coalition. THAT THE DESIGN IS INSIDIOUS AND HOSTILE AT HEART I WILL NOT DENY. Time will tell the truth. Meantime I dread no longer their diplomatic skill. I have seen it and felt it, and been the victim of it these twenty-one years. But the charm is dissolved; their magick is at an end in America.

Still they shall find as long as I am in office, candour, integrity, and as far as there can be any confidence or safety, a pacific and friendly disposition. If the spirit of exterminating vengeance ever arises, it shall be conjured up by them, not me. In this spirit I shall pursue the negotiation, and I request the coöperation of the heads of departments."

In conclusion, he directed that orders should be sent to the envoys to prepare for immediate departure, and requested the Secretary of State to prepare the draught of instructions, with the advice of the heads of departments, and send it to him for approval. Judge Ellsworth being present at Philadelphia, was accordingly notified to hold himself in readiness, and Governor Davie was written to the same effect. The consideration of the instructions, a work not of a moments' accomplishment, was at once and in good faith undertaken, and the advice of General Marshall obtained on some of its points; but before it was completed, the breaking out of the yellow fever rendered necessary the removal of the offices to Trenton,[a] and

[a] This was done about the 26th August.

occasioned a short further delay. They were notwithstanding, completed by the 4th of September, and the opinions of the other secretaries obtained upon them on that day.

This document, as finally adopted, it will be necessary to notice. The original draft to which the observations of Wolcott which follow, applied, is of course not preserved among the state papers, nor is it to be found among his MSS. The purport may, however, be drawn from his review, which it is considered proper to retain entire, in order to exhibit clearly his opinions on these interesting questions.

The instructions commenced with a sketch of the state of affairs existing between the two countries; the fate of former negotiations, and the circumstances under which this was commenced. The declaration of Talleyrand, it was briefly mentioned, was considered by the President "to be substantially the assurance which he required as the previous condition of the envoys entering on their mission."

These were told:

"It now belongs to you, gentlemen, to see that this assurance be verified. Your country will not submit to any new indignity or neglect. It is expected when you shall have assembled at Paris, and have given official notice of it to the minister of foreign relations, that you will be received to an audience of the Executive Directory; that a minister or ministers, with powers equal to your own, will be appointed to treat with you; and that within twenty days at farthest, after your arrival at Paris your negotiation will be commenced. If, however, your passports to Paris should be unreasonably withheld; if an audience of the Directory should be denied or procrastinated; if the appointment of a minister or ministers, with equal powers to treat with you should be delayed; or if, when appointed, they postpone the intended negotiation, you are to relinquish your mission, demand your passports, and leave France; and having once resolved to terminate the mission, you are not to resume it, whatever fresh overtures, or assurances may be tendered to you by the French government."[a]

The envoys were informed as a further limitation, that

[a] Am. State Papers. Vol. II. p. 801.

as the subjects in dispute had been already fully discussed, and therefore admitted a speedy decision, they were expected to reëmbark for the United States by the 1st of April, and that if any of the periods above-mentioned should be prolonged with their assent, it was expected that circumstances would be stated for their justification.

The following presents an outline of the several articles. The first, as one of the most important, may be given nearly entire:

ART. I—"At the opening of the negotiation, you will inform the French ministers that the United States expect from France, as an indispensable condition of the treaty, a stipulation to make to the citizens of the United States, full compensation for all losses and damages which they shall have sustained, by reason of irregular or illegal captures or condemnations of their vessels and property, under color of authority or commissions from the French republics or its agents; and all captures and condemnations are deemed irregular or illegal, when contrary to the law of nations generally received in Europe, and to the stipulations of the treaty of amity and commerce of the 6th of February, 1778, fairly and ingenuously interpreted, when that treaty remained in force—especially when made and pronounced,

Because the vessels lading, or any part thereof, consisted of provisions or merchandize, coming from England or her possessions.

Because the vessels were not provided with the *roles d' équipage*, prescribed by the laws of France; and which, it has been pretended, were also provided by treaty.

Because sea letters or other papers were wanting, or said to be wanting, when the property shall have been, or shall be admitted or proved to be American.

When the owners, masters, or supercargoes, shall have been refused a hearing, or placed in situations rendering their presence at the trial impracticable.

When the vessels or other property captured, shall have been sold, or otherwise disposed of, without a regular trial and condemnation."

The French government, it was observed, if it had any serious wish to accommodate the differences, could have no difficulty in admitting the general proposition that, for injuries arising from violated laws and engagements, reparation should be made. But, in every claim the question of application would occur, and the general stipulation was, therefore, not deemed sufficient of itself. The prop-

ositions laid down were considered proper rules of interpretation.

ART. II—Provided for a Board of Commissioners, similar to those under the 6th and 7th articles of the British treaty, for the investigation and settlement of the claims of the government and citizens of the United States on France, and of the French government or citizens on the United States. The rules for the government of this Board were prescribed, and the mode of providing, by either country, for the claims which should be admitted. The Envoys were however empowered, if the French government should waive its *national* claims, to do the same on the part of the United States. If adequate arrangements should be made for the adjustment of these claims, they were then to proceed to the subjects of navigation and commerce, and others of interest to the two nations.

ART. IV—Authorized a stipulation for reciprocal and perfect liberty of commerce and navigation, between the United States and France, and their dominions in every part of the world. This was, if possible, to be extended to the colonies of France, but not unless it should be admitted on the same terms as with the parent state. In this respect the language of Wolcott's opinion, as given below, was in general followed.

ART. V—Authorized a further stipulation, that no other or higher duties, should be paid by the ships or merchandize of one party, in the ports of the other, than were or should be payable on like vessels and merchandize of other nations, and the same in regard to importations of the respective growth of the two countries; nor should any prohibitions on the exportation of articles from their territories be imposed which were not extended to others.

ART. VI., VII. and VIII—Provided for the mutual free residence of their citizens, with the right of trade, succession to intestate estates, of testamentary disposition, and

the exercise of their religions. The abolition of the *droit d'aubain* in respect to the property of Americans in France, was demanded.

ART. IX. and X—Provided for the collection of debts.

ART. XI—Provided "that the ships of the citizens of the respective countries, coming upon any coasts belonging to either, but not willing to enter into port; or being entered into port, and not willing to unload their cargoes or break bulk; they should be treated according to the general rules prescribed, or to be prescribed, relative to the subject in question." In this the 26th article of the old treaty was followed.

ART. XII., XIII., XIV., XV. and XVI—Provided for the protection of ships and property of the other, within the maritime jurisdiction of either nation; the denial of refuge to pirates; the hospitable reception of public ships, and the succor of distressed vessels.

ART. XVII—Respected the appointment of consuls, who were to be allowed the rights and liberties which belonged to them by the law of nations.

ART. XVIII—Provided for the delivery of deserters from public and private vessels, permitting the enlistment of each other's seamen, but with a provision against impressments.

ART. XIX—Provided that, on requisition by the ministers or consuls of the two nations, persons charged with murder or forgery, committed within the territorial jurisdiction of one, and fleeing to the other, should be delivered up.

ART. XX—Provided against intermeddling with the common fisheries.

ART. XXI—Respected the renewal of the 17th and 22d articles of the treaty of 1778, by which the harbor of privateers of one nation, to the exclusion of those of nations at war with the other, was secured. The 24th and 25th articles of the British treaty had covenanted for

the exchange of a similar exclusive privilege with that country; not, however, to operate contrary to former and existing treaties with foreign nations, and adding, "that while they continued in amity, neither of them would, in future, make any treaty that should be inconsistent with" these articles. The above mentioned articles of the treaty with France, it was therefore declared, could not be renewed; the aggressions which occasioned the dissolution of that treaty, had deprived her of the priority of rights and advantages therein stipulated. Indeed, if the public faith pledged in the British treaty, did not forbid a renewal of those engagements with France, sound policy would prevent it. The engagements with Great Britain might cease in two years after the close of the war; but, under the stipulations contained in 28th and last articles of the British treaty, the engagements in question might be continued for a longer period. The envoys, in regard to this point, were therefore directed, that if they should find any cogent reasons for renewing, in substance, the 17th and 22d articles of the commercial treaty with France, it must be with the explicit declaration, that neither at that or at any future time, should the said article be construed to derogate from the corresponding ones in the treaty of London.

Art. XXII—Required the express declaration that the powers of consuls and agents in the United States should not extend to the trial or sale of prizes whether made by public ships or privateers.

Art. XXIII—Respected the arming of a belligerent in a neutral port.

Art. XXIV—Provided that "when one of the parties was engaged in war, the vessels of the other might be captured on just suspicion of having on board property belonging to the enemy of the former, or of carrying to the enemy any of the articles which are contraband of war." With these exceptions, it was declared that the

trade of each party to the ports of the enemies of the other should be perfectly free, unless to the ports actually blockaded. The strict rule of the law of nations, it was however suggested, might be so modified, that in cases where such enemies forbore to capture enemies' property in neutral vessels, it might be agreed that the contracting parties would forbear to capture the vessels of each other for that cause. The law of France of the 18th of January, 1798, respecting produce or manufactures coming from England or her possessions, it was said, was incompatible with the stipulation here proposed, and if not repealed, negotiations must be deemed illusory. Regulations were further prescribed to prevent abuses of this article.

ART. XXV—Enumerated the articles to be deemed contraband of war. It was supposed that France would not desire to consider provisions as contraband, unless going to a place actually blockaded, and the envoys ought strenuously to resist any other construction; if however, what was said on the subject, in the 18th article of the treaty with Great Britain, should induce France seriously to demand the like stipulation, it might be conceded; but a modification should first be attempted, by proposing not only that if provisions be captured they should be promptly paid for with reasonable profit and expenses, but they should not be captured at all, unless going to a place actually blockaded, or to supply an invading army or hostile fleet, though in situations not actually forming an investment or blockade.

The remaining articles were intended to provide against a number of abuses, such as had arisen during the existing war from embezzlement, waste, and destruction of property captured under various pretences; from the conduct of armed vessels; the improper institution of prize courts; stripping crews of their money, provisions, and

clothes; and seizures of vessels innocently approaching blockaded ports.

ART. XXX—Contained certain points to be considered as ultimate, which follow almost verbatim those stated in the concluding part of the succeeding paper which presents Wolcott's advice on the subject. This, it is to be remembered, was applicable to the original draught. The numbers in italics correspond, however, to the articles of the instructions as adopted, and the italicized notes which are pencilled upon the original, convey the decisions upon the several questions.

OBSERVATIONS ON THE DRAUGHT OF INSTRUCTIONS TO OLIVER ELLSWORTH, WILLIAM RICHARDSON DAVIE, AND WILLIAM VANS MURRAY, ESQS., MINISTERS PLENIPOTENTIARY OF THE UNITED STATES TO THE FRENCH REPUBLIC.

In considering what instructions ought to be delivered to our ministers, all reference to the policy of the measure of renewing negotiations is necessarily excluded. If we consent to treat, especially if, as in the present case, the overtures are made on our part, it is particularly incumbent to manifest sincerity of intention by demanding nothing unusual or degrading; in the event of a rupture of the negotiation, it will be necessary for the government of the United States to evince to the world that the failure has not been owing to any want of prudence or moderation on their part.

(*Art. II.*)—On these grounds, it is my opinion that we must rest satisfied, if France will consent to refer our claims on account of illegal and irregular captures and condemnations, in general terms, to the arbitration of a board of commissioners, and will engage to pay or secure the sums which may be awarded. If we insist on unconditional indemnity for any description of captures authorized by the laws of France, it will be justly said that such concessions are unusual, or rather without precedent, in public treaties between independent nations. I am at the same time of opinion that no restitutions or reparations to France ought to be stipulated, except in the form of deductions from sums which may be awarded to the United States. If this point can be obtained, it will be a tacit acknowledgment of aggression, at least in degree, on the part of France, and as direct a concession as is to be expected.

On the subject of the proposed commercial regulations, the following observations occur:

ART. V.—(*Art. IV.*)—The French government will not agree to limit the rate of tonnage duties and charges on American vessels in French ports, unless we agree to a reciprocal stipulation; such an engagement is deemed inexpedient.

In the discussions relative to the colony trade, the French government will naturally inquire into the nature of our arrangements with St. Domingo. To enable the envoys to make suitable and correct explanations on this subject, they

ought to be furnished with copies of the instructions to Dr. Stevens, and with the paper exchanged with Mr. Liston and General Maitland, but under special injunctions not to communicate copies, nor permit them to be taken nor left in France when the negotiation is terminated. (*Yes.*) In my opinion, if France will not allow us a trade with her colonies on the terms which may be agreed in respect to the parent state, we ought to be silent on the subject. (*To be adopted.*) In no event ought we to allow a price for this permission by agreeing to the payment of extra duties. (*Agreed.*) Nor ought we to stipulate anything like what is contained in the last clause of the third article of our treaty with the United Netherlands; such an engagement would be a species of guaranty of the colony system. It is sufficient for the United States to engage generally to treat foreign nations with justice and friendship. We are under no obligation to come under special engagements to support systems opposed to our national interests.

ART. VI.—The article restraining France from imposing export duties in a certain manner, will be objected to, and ought not to be insisted on by the United States. If, in the matter of trade, we are treated as well as other foreign nations, we ought to be satisfied.—(*But other foreign nations may impose export duties.*)

ART. VII.—The 24th Section of the Collection Law, and the Act providing for the mitigation of fines, penalties, and forfeitures, completely secure effectual and prompt remedies for the case mentioned in this article. As, from the nature of things, the governments of the two countries must be exclusive judges of the cases which require relief, and as a stipulation by treaty might occasion disputes, it is deemed expedient to omit the proposed article.

ART. VIII.—Such a provision would be unusual, and it will be frequently a matter of dispute, whether a particular allowance ought to be considered as a drawback or bounty. The allowance made by the United States to vessels employed in the cod trade fishery, is partly a bounty and partly a drawback.

ART. XIV.—(*Art. XI.*)—It is believed that the 32d and 60th sections of the Collection Law contain liberal provisions on the subject of this article, some of which would be repealed by such a stipulation as is proposed. (*Agreed.*) The public credit and resources of the United States principally depend on the punctual collection of the duties of customs. The nature of the imports into the United States is such as to render illicit practices more easy by foreigners in our ports than by Americans in foreign ports. For these, and the reasons mentioned in respect to article VII, it is believed that we ought not to consent to any relaxation of the rules established. The 26th article of the late treaty is free from objection. (*Adopted.*)

ART. XIX.—(*Art. XVII.*)—It is believed that both nations ought to leave the whole subject of consuls precisely on the footing on which it is placed by the law and usages of friendly nations. (*Content.*) That there ought to be no encouragement held out of a future consular convention, and particularly that the jurisdiction of our admiralty courts (*as such? or by any act?*) ought not to be impaired, as would be the case by the removal of the stipulation in the 7th article of the late consular convention.

ART. XX.—(*Art. XVIII.*)—Whatever article of this nature is proposed to

France must be immediately offered to England. We have refused to give up deserters to England unless they would give us satisfaction on the subject of impressing seamen.

I think the point deserves very serious consideration, and that the instructions should be peremptory to agree to no article different from what will be offered to Mr. Liston. I think deserters ought to be delivered up from any ships.

ART. XXI.—(*Art. XIX.*)—In my opinion no person ought to be delivered up for offences not committed within the *territorial* jurisdiction of the two countries.

The laws of the United States expressly provide for the punishment of murder committed on the high seas, in foreign as well as American vessels; and until nations shall generally admit that the jurisdiction exclusively follows the flag of of a vessel, it does not appear to be fit to impair the jurisdiction of the courts of the United States. If anything is proposed in respect to the crime of murder, committed on the high seas, it ought to be by way of addition to XVI. article. (*Agreed.*)

ART. XXIII.—(*Art. XXI.*)—This subject appears,to my mind,the most important as well as the most difficult to adjust of any which will probably arise in the proposed negotiation. It is a settled principle, that treaties are entitled to precedence, according to their respective dates; where two treaties are in collision—the stipulations in the first are to be executed. We have now no treaty with France, and we cannot, with good faith, derogate from the precedence which the treaty with Great Britain has acquired.

By the 24th and 25th articles of the treaty of 1794, certain privileges are granted to British public and private vessels of war, which are denied to other nations. The parties have, moreover, agreed that while they continue in amity, neither of them will in future make any treaty that shall be inconsistent with the 24th and 25th articles. This engagement must be deemed commensurate with the duration of the treaty. If no substitute of the 12th article shall be negotiated, the articles above mentioned will cease to operate at the expiration of two years after the present war. If a substitute shall be agreed upon, the said articles will remain in force for twelve years, computed from the day on which the ratifications were exchanged. The binding force, however, of these obligations may, at the option of Great Britain and the United States, be further continued by an article to be negotiated pursuant to the last article of the existing treaty.

The preferences formerly enjoyed by France, by her treaty which has been declared no longer obligatory, and which are now secured to Great Britain, are of the greatest importance to the two nations. France will make every exertion to regain the advantages she has lost; and any violation of the spirit of our engagements with Great Britain, will be pointedly resented by that nation.

It is my decided opinion that we are only precluded from granting to France equal privileges with Great Britain during the remainder of the present war; but also, that we are precluded, during the time which the 24th and 25th articles of the treaty with Great Britain may remain in force, from stipulating, in favour of any other nation, privileges which, by the possibility of events, may derogate from the advantages actually secured to Great Britain at the date of the treaty, or which may be acquired during its continuance. It is evident that the whole

value of these articles depends upon their priority; and we have promised Great Britain that during the existence of our treaty, we will do nothing to impair the chances in favour of her priority.

This construction of the article, which is seriously believed to be correct, gives to the United States great advantages, which ought to be carefully improved. Whenever there is a general war in Europe, we may expect to find England and France engaged on opposite sides. In such an event, it must always be the interest of the United States to keep the scene of contention as far distant as possible. It is desirable to preserve as equal and impartial a system with both nations as possible; but if preferences must be given, in the admission of public ships of war, and privateers into our ports, it is the interest of the United States that they should be granted to Great Britain, rather than France. The vicinity of the British Admiralty courts of Nova Scotia, Bermuda, the Bahama Islands, and generally the West Indies, the maxims of their maritime law, and the apprehension of losing their seamen, will keep British vessels and privateers from frequenting our ports; and thus, the operation of the treaty, and other causes, will preserve us from unwelcome and dangerous visitors. It is therefore proposed, that the ministers should be positively enjoined not to renew the stipulations contained in the 17th and 22nd articles of the late commercial treaty with France upon any other condition than an express declaration, that neither at the present, or any future time, shall the said articles be construed to derogate from the whole, or any clause of the 24th and 25th articles of the treaty of amity, commerce, and navigation between the United States and His Britannic Majesty, concluded in London on the 19th of November, 1794. A *general saving* of the obligations contained in prior treaties, will not, for the reasons above stated, answer the purposes. The *saving* must be *special*, so that in respect to these articles, a treaty of subsequent date with Great Britain, if such a one should be negotiated during the period limited for the duration of the existing treaty, would controul the corresponding articles in the treaty now proposed to be negotiated with France.

It is possible that France may strenuously object to any recognition of the treaty with Great Britain; in that case, she must rest contented with such a general stipulation in favour of her public and private ships, as is contained in the 8th article of our treaty with Spain. If the ground now proposed is taken and preserved, it will be in the power of the United States, when the present engagement with Great Britain shall have expired, to impart equal advantages to France and Great Britain, or what would be still better, to resume the power of excluding the ships and privateers of both nations, at pleasure.

ART. XXV.—If it be possible to avoid conceding that *provisions* may become *contraband*, when not bound to a place actually invested or blockaded, it ought to be done; especially, as Great Britain has attempted to fix a most injurious construction upon the 18th article of the treaty of 1794. If the article is insisted on, it ought to be formed in the precise terms of the article of our treaty with Great Britain; and if possible, an explanation added, that provisions shall be deemed contraband only, when evidently destined to supply an invading army, or hostile fleet, though in places not actually invested or blockaded.—(*Agreed.*)

ART. XXIX.—(*Art. XXIV.*)—It is much doubted whether this article ought

to be retained; it will only bind the United States, the government of which will never engage in unnecessary hostility with France. We may expect much injury from cruisers in the West Indies, and it may be ruinous to wait the tardy operation of French decrees, before we use our own means to obtain security or redress; though the principle of the proposed articles is good, it is impossible not to regard the particular character of the nation with which we treat. A stipulation of the kind proposed, cannot but be dangerous in a treaty with France; at any rate, the overture ought to come from them.

The foregoing observations are the result of the most critical attention which I have been able to give to the subject, since I received the draught of instructions last evening. Many of the articles usual in treaties, not inconsistent with the principles laid down, will, I presume, be inserted by the ministers, and need not be detailed. The following points ought, in my opinion, to be *ultimate*.

1st. That an article be inserted for establishing a Board, with suitable powers to hear and determine the claims of our citizens, for losses sustained by illegal and irregular captures, and seizures of property, and binding France to pay, or secure the sums which may be awarded.

2nd. That the treaties and consular convention declared to be no longer obligatory, by act of Congress, be not in whole or in part, revived by the new treaty; but that all the engagements to which the United States are to become parties, be specified in the new treaty.

3rd. That no guaranty of the whole, or any part of the dominions of France, be stipulated, nor any engagement made in the nature of an alliance.

4th. That no aid or loan be furnished in any form whatever.

5th. That no engagement be made inconsistent with the obligations of any prior treaty, and in case the engagements of the 17th and 22d articles, of the late commercial treaty with France shall be reinstated; that there be a *special saving* of the rights acquired by Great Britain, under the 24th and 25th articles of the treaty of 1794, as herein before-mentioned, or the duration of the said articles expressly limited to two years, after the expiration of the present war with England.

6th. That there be no stipulation made by granting powers to consuls, or otherwise, under colour of which tribunals can be established, within our jurisdiction, or personal privileges claimed by French citizens, incompatible with the complete sovereignty of the United States, in matters of policy, commerce, and government.

7th. That the duration of the proposed treaty be limited to twelve years from the day of the exchange of the ratifications, with the exceptions proposed in the draft herein referred to. Submitted respectfully, &c.

SEPTEMBER 4th, 1799.

FROM THOMAS FITZSIMMONS.

PHILADELPHIA, Sept. 3, 1799.

My Dear Sir,

The letter referred to in your favour of the 1st, was duly forwarded by yesterdays' post; I did not receive it from Mr. Sitgreaves till after the post of Saturday had set out.

Our paper assigning our reasons for declining further attendance at the board, was to have been presented to-day, but I heard yesterday that Mr. Macdonald and Mr. Rich were to set out this morning, to embark in the packet for England. I really wish they had this paper to take with them, as we have taken up the subjects of disagreement in every point, and stated our reasons of disagreement. We shall immediately prepare a copy of it, as well as the proceedings of the board, to be laid before the President, and shall lose no time in having them ready; in the meantime I have taken the liberty of suggesting to Mr. Pickering; the propriety of letting Mr. King know, that these papers will speedily be ready. It is natural to suppose that these gentlemen will represent the business in the light most favourable to their own views, and first impressions are sometimes very difficult to eradicate.

These good friends and allies of ours, are again letting loose their corsairs against our commerce, and I do not see that we shall not soon be in as bad a predicament as we were in 1792–3. The judges at Jamaica and Providence have taken a latitude of construction, that not only gives to their cruizers the right to our property, but as it authorizes carrying in our vessels, the vexation and expense to which we are subjected, even when we are acquitted, is sufficient to put a stop to our West India commerce; and if these things are permitted to go on without seasonable representation, they will grow to an extent that no future explanation can reach. I have no doubt you are sufficiently impressed with the importance of this subject, to make it an object of your consideration; you may depend upon it, it has already gone to very ruinous heights. We have great hopes from the present state of the town, but a few days will put an entire stop to the fever, of which, or any thing else worthy your attention, I will take the liberty to inform you. Being with great respect, sir, yours most respectfully,

THOMAS FITZSIMMONS.

FROM STEPHEN HIGGINSON.

BOSTON, September 16, 1799.

Dear Sir,

* * * *

We are here all wondering at the new mission to France. It is a measure which excites much surprise, and no one can account for it. The language used by the President *and his lady*, is in direct opposition to such a measure, and she has expressed much surprise that the intimations given in the papers of preparations for the envoys should be believed. This singular opposition of sentiment to conduct perplexes people very much, and many will not believe that the Pre-

sident intends they shall go on. Indeed it would be strange if those who learn or hear his language, and have no ground to believe in their going besides what the newspapers afford, should not doubt at least. I confess that I cannot in any way or degree, reconcile his general language on that subject, with a settled and persevering intention to send them forward; but still I presume the mission will go on, let us think as we may.

Respectfully, I have the honour to be, sir, your humble servant,

STEPHEN HIGGINSON.

The instructions, after the consultation, were again revised, and on the 11th of September transmitted to the President. On one point only, they deviated from the conditions originally agreed upon; that concerning the *rôle d'équipage*. As to this they were for the purpose of saving the pride of France, so modified as to admit a submission of the claims to a board impartially constituted, or to receive secret stipulations in their favor. The fact that this was done by the cabinet, without Mr. Adams' intervention, was certainly a proof of their desire to throw no unnecessary obstacles in the way of the success, however much they disapproved of the institution of the mission.

But a new obstacle now suddenly presented itself. At the moment of finally completing the draught, intelligence was received by the Secretary of State, from Mr. Murray, which, in the view of the Secretaries, would render further proceedings in the matter, at this time at least, manifestly improper in the eyes of Mr. Adams himself. It was that of the revolution of 30th Prairial by which the whole Directory, with the exception of Barras, was changed. The authorities having thus ceased to exist, who had given the assurances upon which alone the President professed to have predicated his measure, it appeared absurd as well as impolitic, to despatch the envoys until the temper of the new government should be first ascertained. But besides this, it was rendered highly probable that the overthrow of the Directory was but the prelude to another step. That event had indeed been accomplished

by the Jacobin party, but there were symptoms that their newly regained power was to be but short lived. That the disasters of the campaign had excited a great revulsion of feeling in Paris, was before well known. In addition to his previous intelligence, Mr. Murray now wrote: "All things on the continent appear to portend a great change, and even threaten the downfall of the French republic." "The military force of France has literally crumbled away before the combined armies, who are daily triumphant;" and a little later, "should the armies come to a complete certainty of [adoption] and of being kept in grade, I should expect to hear that Louis XVIII. were on the throne in a few months." The publication at Paris of Boulay de la Meurthe's pamphlet on the revolution of Charles I. in England, and the causes of its failure, (a copy of which, with extended comments by Mr. Murray, was about the same time received) together with similar information from various sources, all seemed to render the event probable.

Well might the Secretaries hesitate concerning the expediency of a mission at such a moment. With what grace would Envoys to the Directory present themselves at a returning court! How contemptible in the eyes of Europe, hailing the downfall of the despotism which had abused the name of Republic, would have appeared the nation which twice rejected, again approached the footstool of the tyrants, but to find them expelled from their thrones! Or if the restoration was not destined to be effected; if the faction, of which Barras was the head, was to retain its ascendency, what security was there that the agreements of their ejected predecessors would be fulfilled? what certainty that a wild and desolating anarchy should not again cover France as with a blood-stained pall?

Information of these new events was communicated to the President, at the same time with the instructions;

the Secretary of State observing that this change of its members, which, together with the other proceedings of the two councils, demonstrated that the dictatorial power of the Directory was overturned, "had suggested to the heads of departments some doubts of the expediency of an immediate departure of the envoys." He adds:

"The men lately in power who gave the assurances you received, relative to the mission, being ousted in a manner indicative of a revolution in the public mind, and according to Mr. Murray's letter, the threats now first uttered by the military of a KING, show such instability and uncertainty in the government of France, and are ominous of such further and essential changes, probably at no great distance, as make it appear to us a duty to submit to your consideration the question of a temporary suspension of the mission to that country, where a state of things, and that final result WHICH YOU LONG SINCE FORESAW AND PREDICTED, appear to be rapidly advancing. Such a suspension would seem to us to place the United States in a more commanding situation, and enable the President to give such a turn to the mission as the impending changes should, in his opinion, demand.

"Or if a revival of the system of terror should first take place, which the last arrival of intelligence at New York now shows to be probable, still the question of suspending the mission seems to the heads of departments to merit serious consideration. It is an undoubted fact, that the character of the late change in Paris has been purely jacobinical. The clubs are again opened, and the jacobins are every where active to electrify the people."

In the views set forth in this letter, the cabinet unanimously concurred.

FROM OLIVER ELLSWORTH.

HARTFORD, Sept, 20, 1799.

Dear Sir,

Since your very obliging letter of last week I have been favoured with several others from Col. Pickering. The enclosed is an extract of one I now send him.

Judge Cushing's indisposition not only obliges me to be attending court here, but will also carry me to Vermont, if the President grants me leave of absence. Possibly my letter to him a few days since may have for answer that the envoys are not to embark till it can be better seen to whom they should be addressed; but this is more indulgence than I anticipate. I am, dear sir, very sincerely yours.

OLIV. ELLSWORTH.

FROM CHAUNCEY GOODRICH.

HARTFORD, Sept. 28, 1799.

Dear Sir,

I trust, before this time, you are advised of the mission being suspended. The discerning friends of the country will rejoice at it. As to the Gerryites they will scowl; they love the terrible republic so devoutly, they wish us to kiss its last shreds. As we were the first among the nations to sing at her birth, perhaps we ought to be present at her funeral dirge. Of that you wise folks may think at your leisure.

A few of the outrageous Jacobins have foisted themselves into the assembly; the public sentiment is unchanged. The circuit court has just ended its session. Clay and McGill have to refund a small part of their fraudulent withholdings. A rule was obtained for them to produce their company books, and they were defaulted. I think an action may, and will be brought, for more of their dilapi dations, as the business is pretty well ecclaircised.

Isaac Williams, the noted privateersman, has been tried on two indictments, on one of the articles of the British treaty, for accepting a commission and committing hostilities against the British. He offered, in evidence, residence in France since 1792, (except being here on a visit five months), and an act of naturalization; both were objected to as not being relevant, on the ground of his being an American by birth, and his allegiance unchangeable. Judge Law was for admitting it. Judge Ellsworth decided against the admission; so it went to the jury, who found him guilty.

So much for naturalization acts. He is sentenced to pay a fine of 1000 dollars on each indictment, and suffer imprisonment, on each, four months. A bill is found against Holt, the Bee man. The Jacobins are impudent and cross. They think they gain ground. They are mistaken.

Are the British giving us some side-wind strokes in revenge for the mission? 'Tis bad policy for them. Although the good folks of our country don't love the mission, they will resent any indications of ill humour from the British. We have a right to take care of our own follies. It is a poor business at best, and may prove a vexatious one.

Your friends are well. Dr. Hopkins' health appears amended. What is quite surprising, Mr. Trumbull is resuscitated. He is about considerably. Our best love. Yours, very sincerely,

CHAUNCEY GOODRICH.

FROM OLIVER ELLSWORTH.

WINDSOR, Oct. 1, 1799.

Dear Sir,

Judge Cushing has finally relieved me from Vermont, and the President, in his very great wisdom, has suspended my destiny to France; so that I have time to sit down to think, and I think that the prospects of that distracted country, and

of Europe, and of course our own, begin to brighten. Pray indulge the same thought, if you can, for you certainly stand in need of it. Very sincerely yours,

OLIV. ELLSWORTH.

The Secretary of State, in forwarding to Chief Justice Ellsworth a copy of his instructions, had mentioned to him also the contents of Mr. Murray's letter, and informed him that, in the opinion of the officers, the existing state of affairs warranted the suspension of his mission. Mr. Ellsworth was of the same opinion, and immediately wrote to the President recommending a delay. Mr. Adams, as appears by his reply, in the first instance at least, thought the suspension advisable. He therein observed, "that the change of the Directory, and the prognosticks of a greater change, would certainly induce him to postpone, for a longer or shorter time, the mission to France." At the same time, it seems, he proposed to proceed to Trenton before coming to a final decision. On the 24th the Secretary of State wrote to him that "as the idea had already occurred to him of coming on, and as he had intimated that he would do it, if judged best, he had consulted his colleagues, and they concurred with him in opinion that it would be an eligible step." General Davie had relinquished the government of his state, and was expected in the first week in November, and Mr. Ellsworth would undoubtedly meet him. "If, however," the Secretary added, "the news expected from Europe should be of a nature not only to strengthen your reasons for the temporary suspension *which you have already deemed expedient*, but if new facts should be decisive of the course proper to be pursued, the trouble of your journey may be saved."

Under these circumstances the President left Quincy for Trenton, stopping on his way at Windsor to meet Judge Ellsworth. He reached that place on the 3d October, and in a conversation of half an hour[a] with that

[a] Mr. Adams says *two hours*. (Boston Patriot, Letter IV.) The authority is a letter, from Mr. Ellsworth to a friend, of October 5th.

gentleman gave him distinctly to understand that his own opinion, in accordance with Mr. Ellsworth's, was in favour of a present suspension. Mr. Adams reached Trenton on the 10th, and was followed within a day or two by Mr. Ellsworth. Gov. Davie had arrived some days previous, and by an accident, Gen. Hamilton and Gen. Wilkinson arrived about the same time. The understanding of all parties was that the mission would be suspended, an idea which Mr. Adams permitted to exist, if he did not more directly countenance.

Such was the state of affairs up to the 16th of October. On the 13th intelligence had been received of the landing of the British in Holland, and the surrender of the Dutch fleet, and still further confirming the idea of a restoration of monarchy in France. On the evening of the 15th the instructions were finally settled in concert, and on the morning of the 16th Mr. Adams addressed the Secretary of State as follows:

THE PRESIDENT TO THE SECRETARY OF STATE.

TRENTON, October 16, 1799.

Sir,

I request you to order fair copies of the instructions, as corrected last evening, to be prepared and delivered to Judge Ellsworth and Governor Davie, with another for Mr. Murray, without loss of time; and to write a letter to those gentlemen as Envoys Extraordinary to the French Republic, expressing, with the affectionate respects of the President, his desire that they would take their passage for France, on board the frigate United States, Captain Barry, now lying at Rhode Island, by the 1st of November, or sooner, if consistent with their conveniences. Captain Barry will have orders to land them in any port of France which they may prefer, and to touch at any other ports which they may desire. The President's best wishes for their health and happiness, as well as for an honourable termination of their mission, will attend them. As their visit to France is at one of the most critical, important, and interesting moments that ever has occurred, it cannot fail to be highly entertaining and instructive to them, and useful to their country, whether it terminate in peace and reconciliation or not. The President sincerely prays God to have them in his holy keeping. I am, sir, with great respect and esteem, your faithful, humble servant,

JOHN ADAMS.

The idea of sending ambassadors for private entertainment and instruction, had certainly the merit of originality.

This determination, like the original step, was taken without consultation with any one, without even the privity of any member of the cabinet, or either of the envoys, a blind was kept before the eyes of all concerned until every thing was prepared, and the final decision was imparted with an abruptness, equal to the secrecy before observed. The reason given by him to the Secretary of the Navy for this conduct was, that "he avoided any consultation out of respect to them, as he had fully deliberated on the subject and his determination was irrevocable." Thus, after having entrapped his officers into preparing the way for a measure which they disapproved, under the expectation that, at the least, they would be allowed the opportunity of recording their opinions against it, he added to this piece of deception the insult of pretended regard to their feelings, in the very act of treating them with slight.

The above is a succinct statement of facts relative to these transactions. It is now important to see what account Mr. Adams has given of them. The following is from the letters to the Patriot:

"I sent an invitation to the heads of departments to assemble in my chamber, to consult upon the instructions to be given to our envoys. They all met me accordingly, and in several long evenings entered into a very serious and deliberate discussion of every article that was to be demanded and insisted on in the proposed. They were all unanimously agreed upon to my entire satisfaction, and reduced to writing. I committed them to the Secretary of State, to be reduced into proper form, to have a fair copy made and transmitted to me, for revision, correction, or signature, as there might be occasion.

The yellow fever was expected, and we were all obliged to fly for our lives; myself and all my family to Quincy, and the heads of departments, with the public officers, to Trenton.

I had repeatedly endeavoured to impress upon the mind of the Secretary of State the necessity of transmitting to me as soon as possible his draught of the instructions that they might be finished and signed, and everything prepared for

the departure of the envoys. I waited with much concern, expecting from day to day to receive the instructions; but no instructions appeared. At length, instead of them, I received a letter signed by all five of the heads of departments, earnestly requesting me to *suspend the mission!*

I was astonished at this unexpected, this obstinate, and persevering opposition to a measure, that appeared so clearly to me to be so essential to the peace and prosperity of the nation and the honour of the government at home and abroad. I was not a little surprised at the unanimity of the heads of departments, for two of them had always appeared moderate and candid in relation to this mission. My instantaneous determination was, to go to Trenton, meet the gentlemen face to face, to confer with them coolly on the subject, and convince them or be convinced by them if I could. On my way, I called upon Chief Justice Ellsworth, at his seat in Windsor, and had a conversation of perhaps two hours with him. He was perfectly candid. Whatever should be the determination, he was ready at an hour's warning to comply. If it was thought best to embark immediately, he was ready. If it was judged more expedient to postpone it for a little time, though that might subject him to a winter voyage, that danger had no weight with him. If it was concluded to defer it till the spring, he was willing to wait. In this disposition I took leave of him. He gave me no intimation that he had any thought of a journey to Trenton. I lodged at Hartford, not yet purified of the yellow fever, and there I caught something very like it, or at least almost as bad, a most violent cold, attended with a constant fever which rendered me for six weeks more fit for a chamber and bed of sickness, than for uncomfortable journeys or much labour of the head or hands. However, I would not consent to be retarded on my journey, and reached Trenton where Mr. Hamilton had arrived a few hours before me. Governor Davie had been there some time. Ill as I was, I sent for the heads of departments. Four of them were there. The Attorney General was gone to Virginia. Many days were employed in conferences with them, sometimes at my own apartments and sometimes at their offices.

The inhabitants of Trenton had been wrought up to a pitch of political enthusiasm that surprised me. The universal opinion appeared to be, that the first arrivals from Europe would bring the glorious news that Louis the Eighteenth was restored to the throne of France, and reigning triumphantly at Versailles. * * * I could scarcely believe my own senses when I heard such reveries. Yet the heads of departments appeared to believe them, and urge them as decisive arguments for suspending the embarkation of our envoys till the spring."

Mr. Adams in vain urged certain military objections as being a bar to this expectation.

"Nothing would do—Louis XVIII. must be upon the throne of France.—Well, suppose he is, what harm will there be in embarking our envoys. They will congratulate his majesty, and if his majesty cannot receive them under their credentials to the French republic, he will be glad to see them in his kingdom and assure them of his royal protection till they can write home for fresh com-

missions, and such shall be ready for them at a minute's warning. In vain did I urge the entire change of property in France, and the necessity the present possessors were under to defend themselves at every sacrifice and every risque. Mr. Ellsworth had arrived in two or three days after me. I invited him and Governor Davie to dine with me alone that we might converse with entire freedom. At table, Mr. Ellsworth expressed an opinion somewhat similar to that of the heads of departments and the public opinion of Trenton. Is it possible, Chief Justice, said I, that you can seriously believe that the Bourbons are or will be soon restored to the throne of France? Why, said Mr. Ellsworth, smiling, *it looks a good deal so*. I should not be afraid to stake my life upon it, that they will not be restored in seven years, if they ever are, was my reply. And then I entered into a long detail of my reasons for this opinion. They would be too tedious to enumerate here, and time has superseded the necessity of them.

The result of the conversation was, that Mr. Davie was decidedly for embarking immediately, as he always had been from his first arrival, and Mr. Ellsworth declared himself satisfied and willing to embark as soon as I pleased."[a]

He concludes:

"Under the whole, I directed the instructions to be prepared, the heads of departments were assembled and the instructions deliberately considered paragraph by paragraph, and unanimously approved by him and by them. Indeed, there never had been any difference of opinion among us on any article of the instructions.

The instructions were presented to the envoys, and they requested to embark in the United States frigate as soon as possible. * * * Before their arrival a revolution had occurred, and the Consular government succeeded the Directory.

Had Mr. Murray's nomination been approved, he would in all probability have finished the business long before and obtained compensation for all spoliations."

In a subsequent paper the following is added:[b]

"I have omitted two facts which ought to have been inserted in a former letter:

I. One is, that one of the heads of departments at Trenton was more diffident than the rest. He said he was far from being sanguine. He had signed a letter to me urging the postponement of the mission, because he did not like to

[a] Letter VI. In Letter XIV. to Cunningham on the same subject, the Ex-President says that Mr. Hamilton came at last to remonstrate with him on the mission, and he, "being fortunately in a very happy temper and very good humour" "received him with great civility." Mr. Hamilton urged his reasons against the expediency of the mission. "His eloquence and vehemence," Mr. Adams says, "wrought up the little man to a degree of heat and effervescence," but Mr. Adams "pitied him, instead of being displeased," and "treated him throughout with great mildness and civility," a condescension the more remarkable, as he tells Cunningham, "never in my life did I hear a man talk more like a fool."

[b] Boston Patriot, Letter VII.

be singular; but he wished me to decide the question according to my own judgment and sentiments. He also showed me a letter from the Attorney General in Virginia, saying that the people expected that the envoys should proceed and would be disappointed if they did not.

II. Another fact is, that I transiently asked one of the heads of departments whether Ellsworth and Hamilton came all the way from Windsor and Newark to Trenton, to convince me that I ought to suspend the mission?"

The first thing which appears worthy of notice in this narrative, is that remarkable forgetfulness of *chronology*, which has been alluded to as characteristic of his defence. Dates are of all facts the most stubborn, and their importance in fixing the relation of events will justify a correction of the errors here.

The yellow fever is mentioned as having caused both the flight of the secretaries to Trenton, and of Mr. Adams to Quincy. Now Mr. Adams departed for Quincy, as has been already stated, on the 11th of March; the yellow fever appeared in *August*, and the departments were not removed till the end of that month.

Again it is said, as if in connection with this event, that he expected from day to day the draft of instructions, "that they might be finished and signed, and every thing prepared for the departure of the envoys." But no such expectation could have been entertained till months after, for the Secretary had but just transmitted to Mr. Murray the demand upon the French government for renewed assurances, and time must elapse for their reception; in fact they were not received till near the first of August.

In a letter to Cunningham[a] relating to this same occurrence, he is equally inaccurate. He there says, that before he left Philadelphia, "we had met *several days* and discussed every point in controversy. We had reasoned and examined, and convinced one another, until we had agreed unanimously upon *every article*, and reduced the whole to writing," and that, arrived at Quincy, he expect-

[a] Letter XIV.

ed the copy by *every post*. How near this approximated to the facts may be judged from the memorandum already given of the results of the only conference which took place.

Further, Mr. Adams places the dinner at which Chief Justice Ellsworth and General Davie were present, and the conversation which occurred with Gen. Hamilton before the consideration of the instructions, leaving it to be inferred, that the wish of Davie, and the asserted willingness of Ellsworth to embark, were previous assistants to his determination, and that he had given out to them and to Hamilton his decision. The truth was, that these circumstances occurred after the order to embark had been given.

These are not the only mistakes. Mr. Adams says, that "no instructions appeared;" that *instead* of them, came a letter, signed by all the five heads of departments, urging the suspension. Now the instructions were sent, were received and acknowledged by him, and actually accompanied Col. Pickering's letter, in which, speaking for his colleagues, he recommended the postponement.[a]

Mr. Adams "was astonished at this unexpected, obstinate and persevering opposition" to a measure which he deemed so essential! Whether the simple writing a letter of dissuasion deserves the epithet, is questionable; but it has been shown, that Mr. Adams not only was not astonished at the time, but on the grounds and reasons given, coincided with the Secretaries in opinion. His "instantaneous determination" was, however, to go to Trenton, and meet the gentlemen face to face! Now it

[a] Mr. Adams speaks of a letter, *signed* by all the heads of departments. None such appears among Wolcott's papers, though its existence is possible. It is, however, believed that this is an accidental expression, the letter which has been quoted, being approved, though not signed by them. Mr. Jefferson says, in his "Ana," (Vol. IV. 510.) "January the 12th. General Samuel Smith says that Pickering, Wolcott, and McHenry wrote a joint letter from Trenton, to the President, then at Braintree, dissuading him from the mission to France. Stoddert refused to join in it," &c. This evidently wrong.

happened that a fortnight intervened between the reception of the letter, and the execution of this instantaneous resolve; that, in the mean time, he had been requested by the cabinet to come on, and came, as they supposed, in consequence of that request. But, his intention was to confer with them coolly, and to convince or be convinced! And, as if in fulfilment of this intention, he afterwards says, that "many days were employed in conferences with them." Yet he never consulted them at all on the subject of the departure. He was, as Wolcott observes,[a] "silent on the question whether the mission ought to proceed," and instead of a candid or open course, encouraged the idea that he himself intended to delay it.

Finally, he gives it to be understood that Mr. Ellsworth was perfectly satisfied and willing to go. It is a fact very well known, that Mr. Ellsworth, to the last, disapproved of the mission; that he was, furthermore, on personal grounds, anxious to remain; and, it may be added, would have refused to go, but for the apprehension that *Madison* or *Burr* would have been sent in his place.

It is unnecessary here, to examine the soundness of Mr. Adams' military reasoning, or to show why the Bourbons were not restored, as was at the time expected. It is very certain that good grounds then existed for the opinion. His own political sagacity was, probably, as much at fault as that of those who looked for a restoration. Time and Napoleon corrected the errors of both. The observations upon Hamilton require as little reply. They can hardly fail to provoke against himself, a contempt as measureless as he affects to have entertained for one so infinitely his superior.

It will have been seen that, to the time of his visit to Windsor at least, and as appears probable, to his arrival at Trenton, he intended, notwithstanding his subsequent

[a] To Hamilton, *infra*.

assertions, to delay the mission. It remains to unravel the mystery of his change of resolution, and he has, it is believed, furnished the clue. He has said that he *transiently* asked one of the heads of departments, whether Ellsworth and Hamilton came to Trenton to convince him that he ought to suspend the mission! Mr. Hamilton had mentioned, in his pamphlet, as illustrating the President's suspicious disposition, that the meeting at Trenton was considered by him, as evidence of a combination between the heads of departments, the Chief Justice and himself, to endeavor to influence or counteract him in the affair of the mission; and the mention made, in Mr. Adams' letter, of the question to one of the Secretaries, was intended to show that Hamilton's statement was founded only on that chance observation of his.[a] For a "transient" remark, it was a singular one, but there seems to have been some motive for it. The Chief Justice, he has said, when at Windsor, gave him no intimation that he had any thought of a visit to Trenton. True, but he had written to him on the 5th, immediately after his departure, as follows:

"Since you passed on, I have concluded to meet Governor Davie at Trenton, which he probably will expect, and which, besides putting it in our power to pay you our joint respects, and to receive as fully any communication of your views as you may wish to make, may enable me to accompany him eastward, should you continue inclined to such suspension of our mission, as under present aspects, universal opinion, I believe, and certainly my own would justify. It is a matter of some regret, sir, that I did not consult you on the subject of the propriety of this visit, but if I err, experience has taught me that you can excuse."[b]

Now, as is apparent from this, Mr. Adams had left Ellsworth under the impression that he did intend to suspend the mission. The latter, then, could not have come to Trenton to convince him that he ought to do so. Did conscience whisper to the President that he was distrust-

[a] In Letter XVI., to Cunningham, he again alludes to this, as follows: "In page 37 [of Hamilton's pamphlet] another instance is given of my jealous and suspicious disposition. The most open, unsuspicious man alive, is accused of excessive suspicion."

[b] MSS.

ed; that the Chief Justice had followed, but to watch him? It would be doing Mr. Adams wrong to suppose he had dissembled with Ellsworth; his conduct is susceptible of more easy explanation. That *question* was the key to the riddle. Again had HAMILTON risen up like a spectre in his path. To meet *him*, the intriguer, there, with his coadjutors, Pickering, Wolcott, and McHenry; to find Ellsworth coming on to join them, had roused the lurking demon of suspicion in his breast, and from that moment he was ungovernable. He had nearly been the victim of a plot, but the chief actor had too soon discovered himself!

Upon such trifles, does the fate of nations sometimes depend.

Nothing had occurred between the time of Mr. Adams' leaving home, and his arrival at Trenton, to obviate the objections to a present departure; no "new assurances" had been received from abroad; no prospect had opened itself of stability in the affairs of France. The reasons which had prompted him in the past winter, to demand the pledged faith of the government, again occurred with double force; yet suddenly, without a word of explanation; without taking the advice of an individual, he altered a previously announced determination, in a manner unwise in point of policy, injurious to his counsellors, and undignified as regarded himself. He adopted a step, from which, if his own language is to be believed, he expected no result; and the only explanation that can be given for his conduct without imputing to him intentional and original dissimulation, is, an unworthy suspicion of a conspiracy against his independence.

Mr. Ellsworth's visit to Trenton, has been explained. Mr. Hamilton thus accounts for his own presence there:

"The truth most certainly is, that I went to Trenton with General Wilkinson, pursuant to a preconcert with him of some week's standing, to accelerate, by personal conferences with the Secretary of War, the adoption and execution

of arrangements which had been planned between that General and myself, for the future disposition of the western army; that when I left New York upon this journey, I had no expectation whatever, that the President would come to Trenton, and that I did not stay at this place a day longer than was indispensable to the object I have stated."

One more extract will place this matter in its true light.

"In page 28, Mr. Hamilton acknowledges that 'the President had pledged himself in his speech (he should have said in his message) to send a minister, if satisfactory assurances of a proper reception were given.' Notwithstanding this, Mr. Hamilton and all his confidential friends, exerted their utmost art, and most strenuous endeavours to prevail on the President to violate this pledge. What can any man think of the disposition of these men towards the personal or official character of the President, but that they were secretly, if not avowedly, his most determined, and most venomous enemies? When the measure had been solemnly, irrevocably determined, and could not be recalled or delayed without indelible dishonour—I own I was astonished, I was grieved, I was afflicted, to see artificial schemes employed, such delays studied, such embarrassments thrown in the way by men who were, or at least ought to have been, my bosom friends."[a]

The consequences of this third mission to France, were as fatal to the federal party, as the most despondent of its members, or the most sanguine of its opponents had anticipated. To it, more than all other causes together, is to be attributed the gloomy apathy which, indicative of despair, ensured defeat. All confidence in the President being destroyed, there was little object for exertion remaining, while clogged with him as an unavoidable candidate for reëlection.

The following letters from Wolcott, exhibit his opinions upon the measure itself, and still further explain the facts attending its adoption.

TO ALEXANDER HAMILTON.

PHILA., October 2d, 1800.

The President did not declare his opinion respecting the departure of the envoys, when he first came to Trenton. In a letter from Massachusetts he direct-

[a] Boston Patriot, Letter XV.

ed the Secretaries to consult together, and prepare a draught of instructions; and he intimated that he would suspend the departure of the envoys *for some time.* The draught was prepared. The President, after his arrival at Trenton, consulted all the Secretaries on the subject of instructions, but was silent on the question whether the mission ought to proceed. The instructions were settled in a consultation which terminated after 11 o'clock in the evening. The next morning before breakfast, the President informed the Secretary of State by letter, that he had decided that the envoys should depart immediately. The peculiar indelicacy of his conduct, consisted first, in encouraging an expectation that the mission would be suspended until a change of circumstances occurred; secondly, in availing himself of opinions so far only, as they could serve his own concealed views; and thirdly, in deciding contrary to what was expected, without hearing the arguments of the officers on a collateral point, which he well knew they deemed of great importance. It must be evident, that no man's character can be safe, when opinions can be required in a partial manner. Justice demanded either that the Secretaries should not be at all consulted, or that they should be permitted to record their sentiments respecting any points which in their judgment, were connected with the general question of the mission.

* * * *

The following was written, it is supposed, to Fisher Ames, but not sent. The draft is endorsed, "Notes on the negotiations with France, written January, 1800."

The President has more than once observed in my hearing, that divisions in the Executive departments will cause the people to be divided, and must, from the nature of things, overthrow a government. It was easy for me to conjecture the object of the intimation.

Whatever the President may surmise to the contrary, I have been sufficiently impressed with the importance of harmony in the public councils, and have been concerned in no factious projects to defeat them. Though I have doubts what course, under present circumstances, is most prudent, yet I cannot think it improper to state to you confidentially, what I conceive to be the present situation of our affairs.

You know in what manner the new mission to France was instituted. After the assent of the Senate had been obtained, the President declared that *the honour* of the country required that France should be required to receive ministers from the United States, before a minister was received from France by the United States. He said he did not believe that France would agree to the conditions which had been proposed, and that the nomination of the envoys, was the only way in which the insidious views of the French government could be detected, and explained to the American people.

As soon as the appointment of an envoy was communicated to the French government, Talleyrand promptly declared, that the Directory had long before announced, that they would receive ministers on the terms mentioned by the

President; that they had no difficulty in renewing the assurance, and that they regretted exceedingly, that the desirable object of restoring harmony, should be delayed by an unnecessary form. I have not repeated the words, but the substance of the assurances upon which the envoys have departed.

I was by no means surprised at the result; it was precisely such as I expected. The French government has skilfully retorted upon the President; and instead of appearing to be averse to negotiation and peace, has forced the President to make advances; and what is worse, to appear before the world in an ungracious and reluctant attitude.

I am certain the President was disappointed, and sensibly felt the keen and malicious insult conveyed in Talleyrand's letter. He was however, obliged to say that the French government had substantially complied with his conditions, and that it was unbecoming his dignity to notice the superfluous observations of Talleyrand. After the President had decided that the assurances were sufficient, the officers were directed to prepare the instructions. The orders were executed with promptitude and sincerity; the expediency of the measure was, at least by me, dismissed. The only question was, respecting the terms of a treaty between the United States and a powerful European nation.

While the plan of a negotiation was preparing, information was received of the overthrow of the Directory, and the reverses of the French fortunes in Europe. All men of reflection, with whom I have corresponded, concurred in opinion, that the mission ought to be suspended. The President certainly suffered an opinion to be entertained, that he would suspend the departure of the envoys, and that he would not require the officers of government to participate in the measure of negotiation without allowing them to explain their sentiments. The instructions were settled in concert; the business was finished at about 11 o'clock at night; the next morning at nine o'clock, the President ordered the envoys to prepare for immediate departure.

Since it has been determined that the mission should proceed, the President has declared his opinion that no treaty will be formed; he even told the envoys that it would not be injurious to the interests of the United States, if they should be treated with indignity!

So much for a history of events in regard to this very unexpected measure. I believe the President supposes that he is conciliating the opposition. In this he is mistaken. He is cruelly abandoning his friends—he is less respected by his enemies than formerly.

I dare not express all my thoughts, because I fear that my mind is prejudiced; but it seems to me, that officers of the government will be disgraced in public opinion.

To the above, it is judged proper to add the following from Pickering and McHenry, to Washington, and a part of Washington's reply.

TIMOTHY PICKERING TO GEORGE WASHINGTON.

TRENTON, 24th October, 1799.

Sir,

"When last I wrote to you, I had grounds to expect, on the President's arrival, that the mission to France would be suspended until the fate of its government should be known. This great question, I supposed, (and my colleagues had formed the same expectation), would be a subject of consultation. But we have been disappointed. The President alone considered and decided. Whether he has 'considered it in all its relations,' he only can tell; but if he has, his conclusions are fatally erroneous, and such clearly was his reasoning on the consequences of the mission, as recited by Judge Ellsworth, after he and Governor Davie had dined with the President. He did not consult us, because he had long deliberated on the subject; had made up his mind, and this was unchangeable. To this effect he spoke to Mr. Stoddert, who, after receiving a written order to get a frigate ready, called to ask him some question.

Mr. Murray, (in letters mostly private, which I have laid before the President) viewing the state of France within, and its foreign relations, from a near station, supposes the republic will not survive six months; the President supposes it will ast seven years, and desires his opinion may be remembered.

The President thinks the French government will not accept the terms which the envoys are instructed to propose; that they will speedily return, and that he shall have to recommend to Congress a declaration of war. Fallacious expectation! That government will hardly hesitate about the terms; for we ask only what we have a clear right to insist on, and if we demand any thing reasonable, the French government, sooner than let the envoys return and hazard immediate war, would yield every thing, with an intention of disregarding its engagements the moment the pressure of the combined powers should cease, or that peace were made with them. *But as to the French negotiation producing a war with England; if it did, England could not hurt us!* This last idea was part of Mr. Ellsworth's recital to Mr. Wolcott and me. I had not patience to hear more, but have desired Mr. Wolcott to commit the whole recital to writing, which he promised to do. And yet the President has, several times, in his letters to me from Quincy, mentioned the vast importance of keeping on good terms with England!

Among the most enlightened citizens and truest friends to our country, but one opinion prevails. All deprecate the French mission, as fraught with irreparable mischiefs. *Once* I would have relied on the good sense of the people for a remedy of the mischiefs when assailing us; but my opinion of that good sense is vastly abated. A large proportion seems more ready to embrace falsehood than truth. But I will still hope in the interposition of Providence, to save our country. I have been ever fond of the motto, "never to despair." I am, most respectfully, sir, your obedient servant,

TIMOTHY PICKERING.[a]

[a] Sparks' Writings of Washington, XI. 572. Appx.

JAMES McHENRY TO GEORGE WASHINGTON.

PHILADELPHIA, 10th November, 1799.

* * * *

"The prevailing rumor has, no doubt, reached you, of disagreements in the cabinet; or that a difference of opinion exists between the President and the heads of departments, relative to the mission to France. I am sorry to inform you, that there is too much foundation for this report. Last session of Congress the President made the nomination of Mr. Murray, to treat with the republic of France, without any consultation, or giving the least intimation of his intention to any of the heads of departments. This step, admitting the measure itself to have been wise, and the dictate of sound policy, was, nevertheless, such a departure from established practice, as could not fail to excite considerable sensibility. Independent, however, of this circumstance, or the new practice it seemed intended to establish, the policy and wisdom of the mission was either doubted or condemned by most, if not all the federal members of Congress; in consequence of which the nomination received a modification, by a second message to the Senate from the President, in which they concurred.

Notwithstanding this modification, it was very evident that most of the federal members of both branches of Congress carried home with them a settled dislike to the measure, as ill timed, built upon too slight grounds, and therefore humiliating to the United States; as calculated to revive French principles, strengthen the party against the government, and produce changes in the sentiments and conduct of some of the European powers, that might materially affect our interests and growing commercial prospects.

Have not some of these apprehensions been already realised?

You must have perceived observations and suggestions, in the newspapers of different states, tending to censure the mission, which I consider as having proceeded from these disaffections.

The great and important successes of the allies engaged against France; the changes in the Directory, and the rapidity with which every matter and thing in France seemed hurrying to a restoration of monarchy, indicated to the heads of departments the propriety of a suspension of the mission. We accordingly, while he was at Quincy, presented the idea to the President, as a subject for his consideration.

Without taking any notice of the subject of this letter, a few days succeeding his arrival at Trenton, he convened us to conclude upon the instructions, and shortly after gave his final orders for the departure of the commissioners, who have, accordingly, sailed for Rhode Island in the frigate United States, on the 3d instant.

Shall we have a treaty with France, in consequence of this mission? Yes, if she finds it necessary to her situation and circumstances.

Will a treaty, which shall not trench upon any rights acquired by, give umbrage to, England? It is certain no good reason can be assigned why it should.

Is it not also possible, that the policy of the mission may be justified by events,

such as a general peace in Europe this winter, the republican form of government remaining to France?

The President believes, and with reason, that three of the heads of departments have viewed the mission as impolitic and unwise. He does not, I imagine, class the Secretary of the Navy among its disapprovers, although he joined in the letter advising its suspension. I find that he is particularly displeased with Mr. Pickering and Mr. Wolcott, thinking they have encouraged opposition to it to the eastward; seemingly, a little less so with me, and not at all with Mr. Stoddert and the Attorney General, who appear to enjoy his confidence; and yet those he is so displeased with, are still received and treated by him with apparent cordiality.

Whether he will think it expedient to dismiss any, or how many of us, is a problem. I believe the Attorney General and Secretary of the Navy are of opinion he ought, and would, perhaps, if asked, advise to the dismission at least of one. There are, however, powerful personal reasons, especially at this juncture, which forbid it; and it is more than possible, as these chiefly respect the eastern quarter of the Union, they will prevail.

But in my view of the subject, the evil does not lie in a change of Secretaries, however brought about, as these may be replaced with good and able men, but in the mission, which, as far as my information extends, is become an apple of discord to the federalists, that may so operate upon the ensuing election of President, as to put in jeopardy the fruits of all their past labours, by consigning to men, devoted to French innovations and demoralizing principles, the reins of government. It is this dreaded consequence which afflicts, and calls for all the wisdom of, the federalists."[a]

GEORGE WASHINGTON TO JAMES McHENRY.

MOUNT VERNON, 17th Nov., 1799.

Your confidential and interesting letter, of the 10th instant, came duly and safely to hand; with the contents of which I have been stricken dumb; and I believe it is better that I should remain mute, than express any sentiment on the important matters which are related therein.

I have, for some time past, viewed the political concerns of the United States with an anxious and painful eye. They appear to me to be moving, by hasty strides, to a crisis; but in what it will result, that Being who sees, foresees and directs all things, alone can tell. The vessel is afloat, or very nearly so, and considering myself as a passenger only, I shall trust to the mariners, (whose duty it is to watch) to steer it into a safe port.[b]

[a] Sparks, XI. 573. Appx. [b] Ibid. 468.

FROM GEORGE CABOT.

[Boston,] Oct. 16, 1799.

My Dear Sir,

I ought immediately, on receipt of your favour of the 2d, to have made the acknowledgments, but I procrastinated it upon the idea that I should accompany it with a few remarks on the observations you had made on British finances, and the effects which might ultimately be felt here in case of their derangement. I am forcibly struck with the importance of your opinions, and see in them a new motive to regret the unfortunate measures of our Executive. I think, however, that the resources of Great Britain have always been underrated. An industrious, enterprising, and ingenious nation, possessing almost exclusively and securely the navigation and trading stock of three-quarters of the globe, and a large portion of the skill, machinery, and capital of their manufactures, and all the advantages of these, well protected to the individual proprietors by a liberal, just, and stable government, offer a mass of productive power, the fruits of which can hardly be calculated. I saw plainly, at the moment bank notes were not exchangeable for gold and silver at the option of the holder, that these metals were no longer the measure of value. I have been astonished to see the paper supported, and I do not expect to see this support continue, unless the paper shall in fact be exchangeable at the pleasure of the holder. Gold and silver must inevitably disappear soon after the depreciation of paper appears. But all this being perfectly understood, it is presumable that those who guide the affairs of the nation, will either return and adhere rigidly to the metals, or introduce a paper *system* which shall accommodate their necessities and finally relieve the nation from some part of its burden. But in either course, society ought not to be disorganized, and constituted as they are and abounding in means, I should think motives could not be wanting to preserve the order of the state while the operation is performing. If, however, it be true that the passions of the nation must be occupied in a foreign war to prevent their employment at home, such a war must be with the great powers of Europe, or it will not be sufficiently interesting. Indeed, every war into which France or England enters, may be expected to engage them both as adversaries, and this great rivalry seems to me to furnish a strong motive with each of them to avoid pushing *us* to hostility. I cannot deny that what you suggest as a mean of preserving their artists and manufacturing capital, will be likely to occur to the British cabinet, and will be so strong a temptation to break with us, that if aided by other motives it may prevail. I do believe, however, it would be a short-sighted policy which sacrifices permanent objects to temporary ones. In saying this, I assume for fact that our policy will be prudent and conciliatory towards them. This country, for half a century to come, may be immensely valuable to Great Britain as a consuming customer, and this connection would be at least as beneficial to us as them. Nothing but violence can interrupt this salutary intercourse. Violence long continued, however, often repeated, or extremely aggravated, may destroy it. Instead of laws, like those proposed by Madison, Great Britain ought to be made to see that we will not sacrifice our interests to our passions, still less to the passions of France. She

ought to be satisfied that we are not the dupes of her rival, and that we never will quarrel with her or embarrass the commercial intercourse with her while she regulates her own conduct towards us by the rules of acknowledged justice. If these impressions could be made, not by verbal professions merely, but by uniform public policy, I think no wise administration of that country would desire to quarrel with us, and no one that did not defy the censures of the British people, would dare to do it.

You see by these impotent endeavours to disprove the dangers you apprehend that I am alarmed at them. It is to be feared that we shall be plunged into a sea of troubles before we are prepared. If the strange and disastrous course taken last winter is to be pursued, or indeed is not to be openly and unequivocally abandoned, a war with Great Britain is hardly avoidable. Under the delusive pretence of impartial and independent sentiments, I expect soon to see an address to the latent animosities of our people against the English. A man who loses the approbation of the wise and good, can hardly forbear to appeal to their adversaries, who will be glad to succour him. If it be not practicable to persuade such an one that he may yet easily secure the permanent support of his first friends, if he will be steady to his own first principles, our affairs are hopeless. Everything will be rendered odious that is truly valuable; our army, public credit, &c., will be sacrificed to popularity, and at last opposition to French principles will be treated as a predilection for whatever is British. You see how I run, and will justly say I ought to stop. Farewell.

TO WILLIAM R. DAVIE AND OLIVER ELLSWORTH.

TRENTON, Oct. 22, 1799.

(Private.)

I have the honour to enclose several statements which will I trust be found to convey satisfactory information respecting the commerce, navigation, and revenue of the United States.

The statements marked A, B, and C, have never been published, and reasons exist at present which render it desirable that no copies should be granted. In these statements, the *imports* are valued at the rates at which they are subject to duties *ad valorem*, except articles which are subject to specific duties, which are valued at the *wholesale prices in the ports of the United States;* the whole of the *imports* may therefore be considered as estimated above their *actual cost* to the United States.

The *exports* are stated at the value at the *ports of exportation*, which is of course less than the value at the *foreign* markets; in short, the profits of the carrying trade, which constitute an item of great importance, do not appear in these statements.

The difference between the nominal and the real revenue, is composed of drawbacks and expenses of collection. The great amount of drawback proves the immense commerce of the United States in articles of foreign growth or manufacture.

But after making every allowance, what is called the *general balance of trade*

will appear greatly against the United States; this arises from the capitals which are continually brought to, and permanently invested in the United States, for which no remittances are to be made. This balance may be considered as one proof of the increasing resources of our country.

I sincerely wish you a happy voyage, and safe return to your friends and country, and remain with perfect respect.

TO GEORGE CABOT.

PHILADELPHIA, Nov. 7th, 1799.

(Private.)

I have received your favour of October 16th. I agree with you that the resources of Great Britain, derived from superior skill, ingenuity, and industry, protected by a stable government, have rarely or never been properly appreciated. Amidst the passions and turbulence of the times, the finances have been administered with a firmness and intelligence which have rarely been imparted to statesmen. Some evils have been foreseen and avoided, others have been mitigated, and in every conjuncture the government has manifested an exact knowledge of its real situation.

But after paying the respect which is due to the foresight and energy of the British administration, and after admitting, as I explicitly do, that the government was right in prosecuting the war at every hazard, I cannot but think that the success of the financial system of Great Britain has been, in a great measure, owing to the misfortunes of other nations, and that an immediate peace would greatly endanger the government. Great as the profits of the nation really are, they must be admitted to be insufficient to furnish thirty millions annually to the government in loans, besides twenty-five millions of revenue, and all in addition to the immense capital required for new establishments in the four quarters of the globe.

The true cause of the existing credit of the government, in my opinion, is, that Great Britain has so far the exclusive command of several great objects of commerce, that she can, for a time prescribe for the commercial world an artificial measure of value. The precious metals could not be commanded in sufficient quantities to answer the purposes of interior circulation, and balance all her public and commercial negotiations with foreign countries. She has therefore declared paper to be money, and gold and silver to be merchandise. Her immense commerce enables her to command the gold and silver necessary for foreign intercourse, and the quantity of paper is so regulated by the administration of the bank, and by government operations and finance, as not greatly to exceed the demand. The price of labour, of manufactures, in short, of everything is, however, gradually rising, and the system must fail, whenever any considerable foreign nation can successfully compete with Great Britain in manufactures, or in the supplies of the tropical climates, which constitute the basis of her commerce and revenue.

Events may happen which may disconcert the plans of the British government. I believe, however, that their calculations are formed for a long continuance of

the war; that a speedy restoration of any settled system in France is not expected, and that there exists but little confidence in the sincerity of the Austrian government. By continuing the war the fine edge of Jacobinism will be worn smooth, and the enthusiasm of the new sectaries will be abated. As the danger diminishes, Great Britain will diminish her resistance. In the mean time that island will be made the entrepot of the world, and the national debt will be disposed of in the best manner which circumstances will permit. It is, I presume, intended that when peace is made, Great Britain shall be at least as little embarrased with debt as her neighbours. I am sensible that the reasoning on which my opinion is founded, and which does not presume any substantial fraud, would be deemed abstruse if fully detailed, perhaps it is unfounded. I know that war would be ill relished by the merchants and manufacturers of Great Britain, and the same may be said with truth of the merchants and ship owners of the United States. It is on this circumstance I found my argument of the ill policy of the late measuaes of our government. We might have secured the influence of these men in our favour, and thus have preserved honour and attracted much of the capital and commerce of Great Britain to our country.

There are, however, ill-concealed prejudices existing in both countries, and my apprehension is that the passions of certain descriptions of persons in Great Britain and the United States will be employed to aid the deliberate calculations of the British cabinet. If our envoys arrive when the governments of Europe are prepared to negotiate for a general peace, the mission will, by accident, become a proper and safe measure. I do not expect a general peace, and if the war continues, I believe experience will show that a great mistake has been committed. I cannot believe that either the British government or their merchants will consider it for their interest to permit us to prosecute a free commerce with France; and if, after a treaty shall be made, our trade shall be interdicted, the United States will commence or retaliate hostilities.

But it has been decreed that the negotiation shall be prosecuted, and we must submit. The President directed the instructions to be prepared, and his orders were obeyed. Expectations were, in a certain way, encouraged that the persons who were compelled to participate in this business would be permitted to explain their sentiments; but as soon as the papers were completed, the envoys were directed to proceed immediately. The President having formed his own judgment upon the measure, did not think it right to consult opinions which, he foreknew, could not shake his purpose. Thus are the United States governed, as Jupiter is represented to have governed Olympus; without regarding the opinions of friends or enemies, all are summoned to hear, reverence, and obey the unchangeable fiat.

Although, without desponding, I deprecate this measure in respect to our foreign relations, yet the effects upon our domestic interests appear to me incapable of mitigation. It is certain that the federal party will be paralyzed: nor do I perceive how the present system of measures can be maintained. The people will not support the army; the navy will not be increased; neither taxes nor loans will be permitted beyond what may be necessary to discharge existing engagements; the President will gain no new supporters; his former friends will be in disgrace with the public, and the administration of John Adams, so much

extolled, will end by the transfer of the powers of the government to the rival party.

FROM JEDEDIAH MORSE.

CHARLESTOWN, November 8th, 1799.

My Dear Sir,

Since I had the pleasure of a very short interview with you last May, at Philadelphia, I have many times sat down to write you a long letter, but various obstacles have hitherto hindered the fulfillment of that design. The situation of our country since the nomination, has filled me with deep concern, and my solicitude has not been a little increased by the departure of our envoys. When the President left Quincy we expected that the mission would first be *delayed*, and then be *relinquished*, and our former position, as far as possible, be resumed. Though I am not without hopes concerning the issue of this mission, I confess my *fears* at present preponderate. It would give me much satisfaction to know whether or not the departure of our envoys was in conformity to the opinion of the secretaries and the envoys themselves. The public mind here appears to be in a state that requires some information. We know not how to order our speech aright, on this most interesting of all political subjects by reason of darkness. *Dissent* is painful, open *opposition* might be fatal and dangerous. *Silence* is hardly to be expected from republicans; with our *habits and approbation* I candidly confess for myself, cannot be given with our present information, but at the expense of honesty and truth. In my view, a cloud with malignant aspect broods over our country, and I greatly tremble for its consequences. I fear a temporary reign of *American Jacobinism*. The ablest and firmest supporters of the government hitherto are, for ought I can see, ungratefully to be left in a minority. There are very strong evidences I see, that the J——ns intend to meet the President on his own ground, and it is much to be feared that he will accept their support. This, should it happen, would be in truth hoisting again the flood gates against French principles and influence, which had with so much labour and difficulty been once shut down, and exposing us afresh to a very ruinous inundation. I hope my fears are without good foundation, and that they may never be realized. I know, however, that such fears are not by any means peculiar to myself, but are common among all my most judicious and best friends. Divisions in the councils of our nation augur no good. But "the Lord reigneth," and this thought solaces my mind. I have written again to the Secretary of the Navy, on the subject of establishing one of the national docks in this town, and have strong hopes that our wishes will be gratified. In this prospect I take leave to recommend a very suitable person for superintendent, my very worthy friend *Aaron Putnam*, Esq., of this town, whose house now overlooks the site where the dock (if here) will be erected. I name him thus early, for there will probably be quite a number of applicants. I know of no person, all things considered, who is better entitled to the office. I rely on your candour and friendship to excuse the freedom with which I have written the above. Rest assured that I am, dear sir, with unfeigned respect and esteem, your sincere friend,

J. MORSE.

FROM CHAUNCEY GOODRICH.

HARTFORD, Nov. 18, 1799.

Dear Sir,

I should have been much hurt if you had in any respect sacrificed the convenience of your family to our accommodation. I will thank you if you can, without too much trouble, provide for us agreeable lodgings; you can best judge what will prove so; the less thronged with other lodgers the better.

Our public affairs seem to be pretty much out at sea. The New England Sheet Anchor, I think, will hold on another gale; one I foresee we must have. We shall master the winds, and the ugly even on board besides. The Jacobins always make the onset, and at first it seems as if they were about to turn up the foundations; the body of the people move slowly, but surely, to settle the bustle.

If sister Pennsylvania had not acted half so perversely as she has done, she would have done more mischief. Her spasms won't terrify or effect other folks; she talks a good deal about her relative weight and predominancy. She is spasmotic, chaotic, and contemptible.

After all, McKean is a better governor than Mifflin. He won't corrupt society more, if so much, and the work he does will be more open. McKean can't do much. He will disoblige friends and enemies.

The mission to France is unpopular here; the federalists, however, mean to say little about it—go on in the old steady course—the army begins to grow an exceptionable measure among good men.

We set out Monday next week. Our love to Mrs. Wolcott and little girls. Your friend,

CHAUNCEY GOODRICH.

The political movements during the recess of Congress, wore the same features as in the previous year, with, however, the additional excitement of the new elections. This summer, according to Mr. Tucker, had been looked to by the opposition as the moment for exertion, for the purpose of profitting by the alien and sedition laws, and the new taxes, and of counteracting the influence of the despatches from France.[a] As before, Jefferson, Madison, Monroe, and Nicholas, arranged the plan of the campaign. The states which had officially noticed the Virginia and Kentucky resolutions of the year preceding, had, it is believed without exception, repudiated the pernicious doctrines set forth in them, and some with strong expres-

[a] Life of Jefferson, II.

sions of reprobation. Mr. Madison undertook to prepare for the coming session of the Virginia Legislature, a defence of its former manifesto, while Mr. Jefferson put off upon Mr. Nicholas the task of supporting his Kentucky exposition of faith. The conclusion arrived at by the latter, in the broad and unqualified assertion of the doctrine of nullification, its legitimate deduction be it said, has already been mentioned.

The elections, notwithstanding the efforts of the Virginia party, were eminently favorable to the federalists. At the south in particular great changes took place. Georgia returned two federal members; South Carolinia five out of six; North Carolina seven out of ten, and Virginia eight out of nineteen. In the entire New England delegation there was but one in opposition. The middle states alone exhibited no improvement. Of the new members of Congress, were John Marshall and Henry Lee.

Virginia was of course the great battle ground, and the anxiety as regarded her own legislature, was hardly less than as to her Congressional representation. There Patrick Henry and James Madison were elected to the Assembly, once more as in the convention on the constitution, in opposition to one another, and "each fighting under the banners of the party he had formerly opposed."[a]

Their relative positions at this moment, demand more than a passing notice. By the anti-federalists the former was of course, stigmatized as a deserter from their ranks, and a renegade from his principles; the latter, equally of course, escaped that censure, at least from that party. A review of their political career, however, will hardly be found in favor of the now democratic champion.

Mr. Madison, in a letter to Edmund Randolph, of April 8th, 1787, proposing the plan of a new Constitution for the United States, had suggested the introduction of fea-

[a] Tucker's Life of Jefferson, II. 61.

tures more destructive of the sovereignty of the States, than elsewhere appear to have been even imagined; extending not only to an entire substitution in the national legislature of the representation by population instead of by States, but the giving to it an absolute and unqualified veto on all acts whatever, of the State Legislatures. "Without such a defensive power," he said, "every power that can be given on paper will be unavailing."[a] And when afterwards in the Federal Convention, the subject of the Constitution and powers of Congress was under discussion, he had most strenuously insisted upon the sacrifice of State representation in both Houses, and declared that he "would shrink from nothing which should be found essential to such a form of government as would provide for the safety, liberty, and happiness of the community;"[b] that only by extending the sphere of the general government as far as its nature would admit, could there be "defence against the inconveniencies of democracy, consistent with the democratic form of government."[c] Again, in considering the proposed clause, giving to Congress a negative on all laws of the States, he said, "he could not but regard an indefinite power to negative legislative acts of the States, as absolutely necessary to a perfect system. Experience had evinced a constant tendency in the States, to encroach on the federal authority; to violate national treaties; to infringe the rights and interests of each other; to oppress the weaker party within their respective jurisdictions. A negative was the mildest expedient that could be devised, for preventing these mischiefs."[d]

So far, Mr. Madison himself, in his own report of the debates in the Federal Convention, a report which remained in his own possession for a third of a century after his desertion of his party; and which report there is

[a] Madison's Writings, II. 630. [b] Ibid. II., 805, 806. [c] Ibid. p. 760. [d] Ibid. 822.

no small ground for believing he had at least *modified* somewhat, to suit his new relation—and his new enmities.[a] It may be worth while to look at some of the other authorities on the subject of this convention, and the accounts from contemporaneous sources, of his opinions as then expressed.

In the notes of Mr. Yates,[b] it appear that in agreeing to the resolve of establishing a "National Government," Mr. Madison was of opinion that it was then intended to operate to the exclusion of a federative government, "and the more extensive we made the basis, the greater the probability of duration, happiness, and good order."[c] Again, he is reported to have declared, "I apprehend the greatest danger is from the encroachment of the States on the National Government"—"and if it was the case that the National Government usurped the State governments, if such usurpation was for the good of the whole, no mischief could arise;"[d] and further, "the weaker you make your confederation, the greater the danger to the lesser States. They can only be protected by a strong federal government."[e] And still further, "if this point of representation were once well fixed, we would come nearer to one another in sentiment. The necessity would then be discovered of circumscribing more effectually, the State governments, and enlarging the bounds of the General Government. Some contend that the States are sovereign, when in fact, they are only political societies." "The States at present, are only great corporations, having the power of making by-laws, and these are effectual only, if they are not contradictory to the general confederation. The States ought to be placed under the control of the General Government, at least as much so, as they formerly were under the the King and British Parliament."[f]

[a] Vide Life of Hamilton, II., ch. xxiii.
[b] "Notes of the Secret Debates of the Federal Convention of 1787, taken by the late Hon. Robert Yates."
[c] Secret Debates, p. 106.
[d] Ibid., p. 148.
[e] Ibid., p. 181.
[f] Ibid., p. 184-5.

Such, then, were Mr. Madison's views of what the powers of the National Government *ought* to be. That his opinion of what they *were*, was originally in unison, most conclusively appears from the Debates in the Virginia Convention, in his contributions to the Federalist, and in the proceedings of the first session of the first Congress. His only objections to the Constitution as adopted, in fact, appear then to have been, that by conceding the point of the representation in the Senate, and in denying to Congress an absolute veto on their laws, the Convention had left to the States some show of authority and power. And this was the man who now stood forth the champion of State rights, the asserter of State sovereignty, the coadjutor of Jefferson, Nicholas, and Monroe, in preparing the future creed of that sect, the approver, if not in words, yet by consent, of the doctrine of nullification!

Very different was the position of Patrick Henry. He had indeed, opposed, vehemently and eloquently opposed the Constitution, while yet a subject of legitimate opposition, because he honestly disapproved of the features which Mr. Madison defended, and feared from them the annihilation of the States. Experience had taught him that he had mistaken the source of the public danger; that the power of the States was yet too great in times of discord and war, for the power of the Union. The Constitution moreover, had been adopted—it was the law of the land, and as such, he had sworn to obey it. He had seen it administered uprightly, conscientiously, and for the good of the whole; he had since its adoption, never leagued himself with the factions which embarrassed its operations. With parties, as such, he had no connexion, and in this crisis he could come forward with clean hands, to its support. It was not Patrick Henry who was here the apostate.

Unfortunately for the federalists, Mr. Henry, whose powerful influence, whose undoubted patriotism, and unequalled eloquence would have added so much to their strength, died before the meeting of the legislature. The avowed accession of this honest, and great man, to the ranks of federalism, is a striking instance of the light in which the contest between the two parties now began to be viewed by the more moderate, and right minded in the nation. It is also worthy of notice, that Washington, who had always kept aloof from political strife, who had stood, as it were, upon an eminence, above the excitement of the battle, no longer thought fit to repress his sentiments, or his concern. His letters at this period, show that he was not merely in name, a federalist.

But he too, was now to follow his illustrious compatriot.

As Mr. Jefferson has been frequently spoken of in this work as the patron of Callender, it seems proper here to give the evidences of the assertion.

This Callender was a Scotchman, who had fled from his own country to avoid prosecution for publishing a scurrilous work under the title of the "Political Progress of Great Britain." In 1797, he had signalized himself by the publication in Philadelphia of a libel on the administration of Washington.[a] During this year he prepared another on the administration of Adams,[b] for which, when published, he was duly prosecuted under the sedition law, convicted and imprisoned. These works were as despicable in point of ability, as scandalous in their depravity of falsehood. The proofs that Mr. Jefferson countenanced them, are beyond dispute. Extracts from

[a] "The American Annual Register, &c. for the year 1796." 8vo. Phila., 1797.

[b] "The Prospect Before Us," Vols. I. and II. Part I. Richmond, Va., 1800.

two letters of Jefferson to Callender, which the latter after their breach, had given to a gentleman in Virginia, have been published by Mr. Pickering,[a] in whose possession the originals had been deposited. These extracts contain the material part of the letters, and are as follows. The first was dated at Monticello, September 6th, 1799.

"Sir,

By a want of arrangement in a neighbouring post office, during the absence of the postmaster, my letters and papers for two posts back were detained. I suppose it was owing to this, that your letter, though dated August 10, did not get to my hand till the last day of the month, since which this is the first day that I can through the post office acknowledge the receipt of it. Mr. Jefferson[b] happens to be here, and directs his agent to call on you with this, and pay you fifty dollars on account of the book you are about to publish. When it shall be out, be so good as to send me two or three copies, and the rest only when I shall ask for them.

* * * *

With every wish for your welfare, I am, with great regard, sir, your most obedient servant,

THOS. JEFFERSON.

The paragraph omitted, Mr. Pickering mentions, had no reference to "the book." The other letter, he adds, was dated Monticello, October 6th, 1799. The first line acknowledged the receipt of one from Callender of September 29th, and concluded with these words:

"I thank you for the *proof sheets* you enclosed me; such papers cannot fail to produce the best effect. They inform the thinking part of the nation; and these again, supported by the tax gatherers as their vouchers, set the people to rights. You will know from whom this comes without a signature, the omission of which has been rendered almost habitual with me by the curiosity of the post offices. Indeed, a period is now approaching, during which I shall discontinue writing letters as much as possible, knowing that every snare will be used to get hold of what may be perverted in the eyes of the public. Adieu."

So far the letters themselves. After Mr. Jefferson's accession to the Presidency, and his refusal to appoint Callender to office, the latter betrayed the fact of his having

[a] "Review," Section I.

[b] George Jefferson, his nephew.

been paid for this work by Mr. Jefferson. The letters themselves had not then been published. As a general expression of indignation followed, in consequence of the character of the book, Mr. Jefferson seemed to have considered it necessary to make an effort for his defence. In July, 1802, he thus writes to Mr. Munroe:

"Your favour of the 7th has been duly received. I am really mortified at the base ingratitude of Callender. It presents human nature in a hideous form. It gives me concern, because I perceive that relief, which was afforded him on mere motives of charity, may be viewed under the aspect of employing him as a writer. When the 'Political Progress of Britain' first appeared in this country, it was in a publication called the 'Bee,' where I saw it. I was speaking of it in terms of strong approbation to a friend in Philadelphia, when he asked me if I knew that the author was then in the city, a fugitive from persecution on account of that work, and in want of employ for his subsistence. This was the first of my learning that Callender was the author of the work. I considered him as a man of science, fled from persecution, and assured my friend of my readiness to do whatever could serve him. It was long after this before I saw him; probably not till 1798. He had in the meantime, written a second part of the 'Political Progress,' much inferior to the first, and his 'History of the United States.' In 1798, I think, I was applied to by Mr. Lieper to contribute to his relief. I did so. In 1799, I think, S. T. Mason applied for him. I contributed again. He had, by this time, paid me two or three personal visits. When he fled in a panic from Philadelphia to General Mason's, he wrote to me that he was a fugitive in want of employ, wished to know if he could get into a counting-house or a school in my neighbourhood, or in that of Richmond; that he had materials for a volume, and if he could get as much money as would buy the paper, the profits of the sale would be all his own. I availed myself of this pretext to cover a mere charity, by desiring him to consider me a subscriber for as many copies as the money inclosed (fifty dollars) amounted to; but to send me two copies only, as the others might lie till called for. But I discouraged his coming into my neighbourhood. His first writings here had fallen far short of his original 'Political Progress,' and the scurrilities of the subsequent ones began evidently to do mischief. As to myself, no man wished more to see his pen stopped; but I considered him still as a proper object of benevolence. The succeeding year he again wanted money to buy paper for another volume. I made his letter as before, the occasion of giving him another fifty dollars. He considers these as proofs of my approbation of his writings, when they were mere charities, yielded under a strong conviction that he was injuring us by his writings. It is known to many that the sums given to him were such, and even smaller, than I was in the habit of giving to others in distress, of the federal as well as the republican party, without attention to political principles. Soon after I was elected to the government, Callender came on here, wishing to be made postmaster at Richmond. I knew him

to be totally unfit for it; and however ready I was to aid him with my own charities, (and I then gave him fifty dollars) I did not think the public offices confided to me to give away as charities. He took it in mortal offence, and from that moment has been hauling off to his former enemies, the federalists. Besides the letter I wrote him in answer to the one from General Mason's, I wrote him another, containing answers to two questions he addressed to me: 1. Whether Mr. Jay received salary as Chief Justice and Envoy at the same time; and 2. Something relative to the expenses of an embassy to Constantinople. I think these were the only letters I ever wrote him in answer to volumes he was perpetually writing to me. This is the true state of what has passed between him and me." [a]

Other letters to Mr. Monroe, of the 17th July, 1802, and to Mrs. Adams some years subsequently, further detail, with some variations, the same story. Any commen tupon these letters seems almost needless. The fact is admitted that Mr. Jefferson on several occasions contributed to the support of a common libeller, while pursuing his vocation; on one, as it appears, when he himself had the proof sheets of a libel before him; on a second for the purpose of "buying paper," wherewith to print a fresh one. It is further admitted that after Callender's release from prison, upon his modest application for a responsible office, Mr. Jefferson in denying the request, yet made a further present. The credulity must be boundless which, under these circumstances, can attribute such repeated donations of liberal sums by a person of embarrassed fortune, towards a worthless object, to mere motives of charity, or that can suppose the last to have given other than as hush money.

TO OLIVER WOLCOTT.

RHODE ISLAND COLLEGE, December 26, 1799.

Sir,

I take the liberty to send you a diploma of the degree of Doctor of Laws, conferred on you in September last by the Fellows of this college. This diploma I request you to accept, as a testimony of respect and esteem from this college. Your abilities, virtue, and public character command our most ardent wishes for

[a] Jefferson's Writings, III. 494.

your prosperity and happiness. I am, sir, with great respect, your friend and servant.

JONA. MAXCY.

FROM OLIVER WOLCOTT.

PHILADELPHIA, Jan'y 25th, 1800.

Sir,

I acknowledge with great pleasure your favour of December 26th, informing me that I have been honoured with the degree of Doctor of Law, by the fellows of Rhode Island college. I request you to assure the gentlemen of the corporation that I shall ever entertain a grateful sense of this testimony of their respect, and I beg you to accept personally my best thanks and sincere wishes that you may long continue a distinguished ornament, example, and pattern of science and virtue. I have the honour to be, with perfect deference, sir, your obedient servant,

OLIV. WOLCOTT.

Wolcott, during this fall, received the same compliment from Princeton college. The degree was likewise conferred some twenty years after, by that of Yale.

CHAPTER V.

SIXTH CONGRESS—FIRST SESSION.

The new Congress was to meet in the beginning of December, and the President as usual, a few weeks previous to the session, required of the heads of departments a report of the topics proper for his speech.

FROM THE PRESIDENT.

TRENTON, Oct. 18, 1799.

Sir,

I beg leave to solicit your sentiments on the communication of information or recommendations necessary or expedient to be made to Congress at their approaching session. Your observations on the state of the nation at large, the state of Europe, the mission to France, the rebellion in Pennsylvania, the negotiations with St. Domingo, the interruption of the board or boards of commissioners, and every other subject, especially in every thing in the Treasury Department, will be agreeable, and very much oblige your faithful humble servant,

JOHN ADAMS.

PHILADELPHIA, Nov. 15, 1799.

Sir,

By some accident or other, the original papers concerning the conspiracy against the laws and the beginnings of the late insurrection in Pennsylvania, were never laid before me. I believe they were transmitted to you by the judge and the marshall. How far it will be necessary to communicate the facts in detail to Congress, you will be so good as to consider, and I should be obliged to you for your sentiments concerning all things to be inserted in the speech, as soon as may be convenient, because the time draws so near that something must be soon brought to a conclusion. I wish for your opinions on all points, but particularly on the rebellion, and the St. Domingo business. I have the honour to be, sir, your most obedient,

JOHN ADAMS.

TO THE PRESIDENT.

The Secretary of the Treasury, in obedience to the command of the President of the United States, respectfully submit the following observations:

A great portion of the difficulties which have attended the administration of government in the United States, are, by the consent of reflecting men of all parties, referred to a diversity of opinion respecting the objects, nature, and tendency of the French revolution. Though Europe is the principal theatre of contention, yet the effects of the war are visible in the four quarters of the globe. It has divided the civilized world into two great political parties, on one side are found all men, who, from habits, principle, or interest, are attached to ancient establishments; on the other, the enthusiastic partisans of a new and seductive system.

Some years since a majority of the people of the United States manifested a strong sympathy in favour of the revolutionary principles of France. Events have contributed to dispel the illusion, but successive vibrations of public sentiment have greatly weakened respect for authority, and released a large proportion of the people from the influence of the mild restraints arising out of ancient civil and religious institutions. At present the government is suffering under the reaction of a spirit which was excited against France. Bold and licentious calumnies are propagated and believed; a want of concert is visible among the friends of government, and many of the subordinate officers are deprived of that respect, influence, and popularity, without which their public functions cannot be successfully discharged.

It is necessary that those who conduct the public affairs should know their real situation, but they are not permitted to despond nor to relax their efforts in support of a cause which they have conscientiously espoused.

To give energy to the government, it appears indespensible that the judicial system of the United States should be revised. It cannot but happen that numerous questions respecting the interpretation of the laws and the rights and duties of officers and citizens must arise in this extensive country; on the one hand it is necessary that the laws should be executed; on the other, that individuals should be guarded against oppression; neither of these objects can be assured under the present organization of the judicial department.

The revenue from duties on imports and tonnage has declined from $7,405,000, which was the product of the year ending September 30, 1798, to $6,437,000, being the product of the year ending September 30, 1799; the internal revenues have increased during the same period from $585,000 to $773,000. The act directing the valuation of houses and lands has been executed in the States of Vermont, New Hampshire, Connecticut, New Jersey, Delaware, Kentucky, and Tennessee. The execution will soon be completed in Massachusetts, Rhode Island, New York, Pennsylvania, Maryland, and Virginia. Some greater delay is expected in the States of North Carolina and Georgia. In South Carolina the execution of the law has been impeded by the resignation of commissioners, and by a diversity of opinion between the board and an influential member, the effects of which are not yet fully surmounted.

The establishments of the United States demand an expenditure exceeding the ordinary revenue by several millions. It will be impossible to increase the revenue sufficiently to meet this expense, and it will be difficult to command money on loan. The details of information will be communicated by the Treasury Department in the usual manner, as prescribed by law.

In addressing the House of Representatives it appears proper and necessary to state, that the estimates of the appropriations which are necessary for the service of the ensuing year, together with an account of the revenue and expenditures to a recent period, will be laid before them by the President's direction. That it was not to have been expected during a period in which a great portion of the civilized world has been involved in a war, unusually calamitous and destructive, that the United States could be exempted from extraordinary burthens, that though the period has not arrived when the measures which were adopted to secure the country against foreign attacks can be renounced, yet it is alike necessary to the honour of the government and the satisfaction of the community, that an exact economy should be maintained. With a view to these objects, the House may be invited to investigate the different branches of the public expenditure; such an examination cannot fail either to produce beneficial retrenchments or convince the people of the wisdom and necessity of the measures heretofore adopted.

That the President may be enabled to judge what representation ought to be made in relation to the renewal of commercial intercourse with a part of the Island of St. Domingo, it appears necessary to review the transactions relative to that subject.

During several years after the commencement of the present war, the commerce of St. Domingo was immensely profitable to the United States, and even after the system of privateering became general, it continued to be advantageous to individuals. The naval armament of the United States greatly restrained the privateers, and rendered the people of the Island desirous of renewing commerce. The act of June 13th, 1798, gave no authority to the President to permit trade with any particular port or island of the French dominions, although he was empowered, at his discretion, to remit or discontinue all the restrictions imposed by the act. It was soon discovered by the American merchants that the act of Congress was the only obstacle to the renewal of a beneficial commerce. The policy of the restriction was arraigned—the law was continually violated, and the records of the treasury afford ample evidence that the most persevering exertions, on the part of the government, were insufficient to restrain the illegal enterprises of individuals.

Soon after the commencement of the last session of Congress, Mr. Bunel appeared as the agent of General Toussaint, and on his behalf made the most explicit assurances, that the American commerce should be protected in all the ports under his jurisdiction, and nearly at the same time information was received that an armistice had been settled with the British government, which was then said to have secured to itself certain exclusive privileges. If then appeared to be a favourable opportunity to promote such a modification of the law, as, without deviating from the principles of the general system which had been

adopted with respect to France, might extend the commerce and political influence of the United States in the West Indies. The idea was fully approved by the President, and, in pursuance of suggestions which were authorized, a bill passed the House of Representatives empowering the President to regulate, by proclamation, the trade between the United States and the whole, or any part of the dominions of France, or the dominions of any other nation, where the equipment of French privateers, or the sale of their prizes, being vessels of the United States, should be tolerated. The Senate did not agree to the bill, except in respect to the dominions of France.

During the time that the bill was depending in Congress, there was much conversation respecting the ultimate views of General Toussaint, and it was supposed by many that, on the renewal of commercial intercourse, the island of St. Domingo would be declared independent. To these observations it was uniformly replied, by the undersigned secretary, that no certain opinion could be formed respecting the future political condition of the island: that this subject must and ought to be left to take its natural course: that the views of the United States were purely commercial and pacific, and that no assurances, would, under any circumstances, be made, that the United States would support a declaration of independence with men, money, or supplies.

After the passing of the act of February 9th, 1799, it was deemed necessary that explicit assurances in favour of American commerce should be renewed on the part of General Toussaint, and that an agent should be admitted into the island to watch the interests of the United States and give information to the government of the course of events. Edward Stevens, Esq., was accordingly appointed consul-general, to reside in the island, and about the same time envoys were appointed, who were, upon certain conditions, to renew negotiations with the French republic.

During the whole time that Mr. Bunel remained in the United States, he continued to represent the urgent wants of General Toussaint—that his men were unpaid, destitute of clothing, and frequently without provision. It was even suggested that the distress was so great as to endanger his authority.

Prior to passing the act of February 9th, the objections against furnishing any supplies were insuperable; after that time the heads of departments and attorney-general were directed to confer together on the subject, and lay their opinions before the President.

The Secretaries of the four departments concurred in the following opinion:

"It having been proposed to send a supply of provisions to St. Domingo, in the the vessel in which the consul-general is to proceed, our opinions have been requested on the expediency of the measure.

The law of the 9th instant expressly excepts from the restraints imposed on vessels in general, such vessels as shall be solely employed in any purposes of political or national intercourse. The object of the proposed shipment is, by supplying some of his most urgent wants, favourably to impress the mind of General Toussaint to suppress privateering, and to adopt such measures as may justify a proclamation for opening the trade, which is an object of national im-

portance, perfectly consistent with the spirit of the act, and not contrary to justice or policy in respect to France.

The principal objection against the measure arises from the possibility of a suspicion that it was the intention of the government to favour the individual merchant entrusted with furnishing the supplies. To obviate this objection, it appears proper to stipulate, by a previous contract, that every excess above a moderate profit shall be for the benefit of the United States, and that the supplies shipped shall be sold under the direction of the consul-general, at a moderate price, to be previously stipulated. It also appears proper to stipulate that no return cargo shall be received or admitted in the ports of the United States, until the President shall have previously published a proclamation opening the trade."

February 20th, 1799.

On the same day the Attorney-General delivered the following opinion, in a letter addressed to the Secretary of State:

"I have the honour to express my opinion, that it is neither *lawful* nor *expedient* to permit a vessel to sail from hence to St. Domingo with supplies of clothes and provisions for General Toussaint, though a private merchant should undertake it either alone or in partnership with the United States.

Unlawful because permission may be granted to vessels which shall be *solely* employed in any purpose of political intercourse, and to none other.

Inexpedient because a negotiation is contemplated to be commenced with France; because it will be a precedent of governmental participation in matters of commerce, or of governmental preferences to certain individuals, and thereby excite general discontent among the mercantile people; and further, because it will expose the officers in the executive department to public opprobrium, or suspicions of being privately interested in adventures of this kind; and lastly, because I have no more confidence in the black Frenchman than in the white, and am willing that they should suffer in St. Domingo till they actually refrain from depredations on our commerce, and give satisfactory evidence of their future good behaviour, and of their future ability to restrain the inhabitants of that island from molesting our citizens in their occupations on the seas."

The President, in consideration of the subject, concurred with the opinion of the Attorney-General, and directed that the supplies should be refused; but afterwards, on reviewing the question, he was pleased to permit certain articles, which were most urgently demanded, to be shipped, not exceeding in value what might be deemed necessary to defray the expenses of the vessel; the quantity to be ascertained under direction of the Secretary of State.

The beginning of March, Mr. Stevens sailed, with instructions to acquaint General Toussaint that the commerce would be renewed on the following conditions:

1st. All privateering from the island must be absolutely restrained.

2d. All French armed vessels, commissioned elsewhere, must be refused an asylum in the ports of St. Domingo.

3d. The armed vessels of the United States, public and private, being necessary for the protection of our commerce with St. Domingo, and generally with

the West Indies, must, as well as mere merchant vessels, be permitted freely to enter the ports of the island, to victual, water, and refit, and in all respects be received and treated as friends.

4th. The property of the citizens of the United States must not be liable to be seized by the government.

It is self-evident that nothing less than a compliance with these conditions could render it safe and proper, on the part of the United States, to renew commercial intercourse. It was for General Toussaint to consider whether they interfered with his duty and engagements to the French republic.

In the month of April, General Maitland arrived at Philadelphia from Great Britain, for the purpose of concerting measures with the American government relative to the trade of the two nations with St. Domingo. The conduct of the British government was open and friendly, the nature of the armistice was explained, and in a short time the views and wishes of the two governments were found to be reconcileable.

The conditions upon which trade has been opened are before the public. The British are suspected, and unpopular in the island; the Americans have been hitherto protected. The civil war with Rigaud has interrupted industry, and prevented much of the produce of the island from being brought to the ports for exportation. Many vessels have made losing voyages. It has been suggested by some that the Consul General has engrossed a large proportion of the produce at market. Suspicions are entertained by some of the sincerity of Toussaint; indeed, the whole subject of the arrangement with St. Domingo has from the first excited considerable curiosity, suspicion, and discontent. At present, many who have been friends of the government consider the project of a renewal of commerce with the island, considered as a dependency of France in concert with the British government, as irreconcileable with the mission which has been instituted.

The foregoing facts are conceived to be all that are material to a right understanding of the subject; upon which the following observations are respectfully submitted:

A perfect respect is entertained for the opinion of the Attorney General; nevertheless, it is confidently believed, that the permission to send supplies in the manner consented to by the President, was not *illegal;* the expediency of this particular measure has been evinced by the comfort and relief which was afforded to General Toussaint, which was greater than was anticipated from such a moderate supply.

Admitting every argument against the *policy* of the measure as adopted in pursuance of the act of Congress, or as modified in concert with the British government, to be valid, yet it is not easy to perceive that a course different from that which was adopted could have been pursued. It has been observed that experience proved the impracticability of maintaining the restriction upon our trade. The expectations of the American merchants had been excited; the agent of General Toussaint had received certain conditional assurances; it was, moreover, supposed, at the time of Mr. Stevens' departure, that an armistice had been formed with Great Britain, and that the government of that nation was aiming

to secure its own commerce and exclude that of the United States. It appeared to be important not to miss the opportunity of extending the commerce and influence of the United States, and thereby impairing the European system in respect to colonies.

The concert with the British government was a subsequent measure, and being solicited it became a natural and unavoidable consequence of the first. It was certain that no trade could be pursued with St. Domingo, if that island was considered as at war with Great Britain; and it must have appeared to the British, selfish and unreasonable, if the United States had refused to concur in measures calculated to prevent the resolution from extending to their islands, or had appeared disposed to take advantage of accidental circumstances to secure exclusive advantages; indeed, as the interests were mutual, justice required that they should be regulated by a mutual agreement.

With respect to the future prospects of the United States in relation to St. Domingo, nothing certain or even probable can be pronounced. The war between Toussaint and Rigaud will, it is said, end in the overthrow of the latter, and the destruction of the caste of mulattoes. The condition of the whites must be precarious, and it is very problematical whether the blacks will ever maintain regular habits of industry under the government of their own chiefs. The death of Toussaint at this time would probably produce a total change in the political system of the island; though he has hitherto fulfilled his promises to the United States, yet, from the nature of things, such a government as he maintains must be arbitrary and fluctuating. The British will never encourage a declaration of independence, and such a measure cannot now be promoted by the United States. If it shall be known that the United States have concurred with the British in measures calculated to put an end to all maritime operations from St. Domingo, the jealousy of the chief will be excited, and the French government may seize the opportunity to regain their influence and decide the wavering politics of the island. It is, therefore, important that measures be instantly taken to induce General Toussaint to dismantle the armed vessels which have been equipped in consequence of the war with Rigaud.

There are other reflections suggested by the consideration that the mission to France may terminate in a treaty without any real change in the character or views of that nation in respect to the United States; it is certain that a treaty must necessarily repeal the act suspending commercial intercourse.

The result of the foregoing reflections is, that the subject is attended with difficulties, arising from the uncertain state of things in the French colonies, and from the divided opinions of the people of the United States; moreover, that the existing embarrassments may possibly be increased by the course of future events; the propriety of the measures which have been taken, might be vindicated by considering them in relation to the circumstances under which they were adopted. A full disclosure of all these circumstances would be favourable to the reputation of individuals, but it cannot now be made without some hazard to the interests of the country. All that it is necessary to mention in the speech to Congress is that, having received satisfactory assurances that the rights and interests of the people of the United States should be respected and protected, in

the ports of the island of St. Domingo, under the jurisdiction and command of General Toussaint L'Ouverture, and that no captures of American vessels should be permitted by vessels sailing from said ports, the President had thought proper, in pursuance of the powers vested in him by law, to issue his proclamation, authorizing the renewal of commercial intercourse. It may be added, that the President has perceived with satisfaction, that the conditions which were the basis upon which the proclamation was issued, have been hitherto faithfully observed. On the subject of the mission to the French republic, it is respectfully observed, that no considerations of public policy or expediency are perceived which require that any opinion be expressed respecting that measure. It is believed that it will be sufficient to say, that, having received explicit assurances from the French government, that the minister of the United States shall be received with the respect due to their public character, and that a disposition exists favourable to the termination of the differences subsisting between the two nations, the Envoys have, in pursuance of instructions from the President, proceeded to execute the objects of their mission.

In respect to the interruption of the two boards appointed in pursuance of the 6th and 7th articles of the treaty with Great Britain, and the proceedings proper to be adopted on the part of the United States, the Secretary will, as soon as possible, deliver an opinion. In respect to the communication of information to Congress, it appears sufficient to declare that, in consequence of an essential diversity of opinion between the two Commissioners appointed on the part of the United States, in pursuance of the 6th article of the treaty between the United States and his Britannic Majesty, and the other three Commissioners, respecting the true meaning and proper construction of the said article, the Commissioners named on the part of the United States have considered it to be their duty to decline further attendance at the meetings of the Board. That this interruption of proceedings under the 6th article, has induced his Britannic Majesty to direct the two Commissioners named on his part, in pursuance of the 7th article of the said treaty, to decline attending the meetings of the Board sitting in London, until the obstacles to the execution of the 6th article shall be removed. That the President is determined to fulfil with punctuality and good faith, the stipulations which have been made on the part of the United States, and is well pleased to find that a corresponding disposition has been declared to exist on the part of his Britannic Majesty, in respect to the execution of the 7th article. That the President will cause such explanations of the meaning of the parties, in forming the 6th article to be proposed, as he is convinced will prove satisfactory to his Britannic Majesty, and give full effect to the engagements formed on behalf of the United States.

The late insurrection in Pennsylvania is to be attributed to misrepresentations of the measures of government, in seditious pamphlets and newspapers, and in letters from popular characters; all the acts for increasing the revenue, the army and navy, and for restraining seditious foreigners were, by various artifices, rendered exceedingly odious. The act of Congress, directing the valuation of houses and lands, having a more universal operation upon the people than any other, was easily rendered the object of popular indignation. Combinations to prevent

the execution of the law were formed, in consequence of which, process was issued by the District Judge against the principal offenders. A number of individuals who had been arrested by the marshal, were rescued by an armed force. After issuing a proclamation, requiring the insurgents to disperse, the President directed a military force to be called out, by whose coöperation with the judiciary authority, a number of persons were arrested; some of whom have been convicted of misdemeanours, others are held in custody subject to future trial.

Though the insurrection has been suppressed, the spirit which occasioned it still exists, and the friends of government and its officers, have lost much of the influence which they once possessed.

The several matters herein mentioned, are not arranged in proper order. The Secretary requests that this defect may be excused, it having originated from the want of certain documents when this report was commenced.

All of which is respectfully submitted.

The subjects considered in the foregoing report, have been previously referred to, with the exception of the suspension of the boards of commissioners under the British treaty. During the preceding summer, the commissioners appointed to carry into execution the 6th article, sitting at Philadelphia, having differed on the construction of the article itself, the American members, who were in a minority, deemed it necessary to withdraw from the meetings until a settlement of the points in dispute. In consequence, the British members were withdrawn from the board sitting at London, under the 7th article; the King, however, accompanying the order by an express declaration of his intention to fulfil, with punctuality and good faith, the engagements on his part, and that whenever the obstacles to the proceedings in Philadelphia were removed they would be authorized to resume their functions.

The report on this subject, promised in the foregoing paper is long, and possessed of no present interest. The following memorandum contains the substance of the advice given.

"Nov. 13th and 14th, 1799. Required to meet the heads of departments, at the President's, on the subject of the suspension of the boards of commissioners under the British treaty.

The opinion and advice given by me was: That copies of every paper which

had been exchanged between the commissioners, with the letter of the Attorney General to the President, and a copy of the journal of the board should be immediately sent to Mr. King.

That a paper should be prepared and sent to Mr. King with the documents above-mentioned, which should state the objections of the American government against the principles assumed by the majority of the board; distinguishing such of their principles as are considered doubtful, and such as it is expedient to submit to, for the purpose of effecting an amicable adjustment, from the principles which the American government will resist at every hazard.

That Mr. King be required to press the adoption of an explanatory article, or of a system of instructions to the board, and in case of success, instructing him to propose the appointment of a new board, two of the members to be appointed by Great Britain, and two by the United States.

That endeavours be made to agree upon one British subject of eminent character, for the 5th commissioner or umpire.

If all the commissioners could be named by concert, it would be best, but as this appears difficult on account of the distance of the two countries from each other, it may be engaged that both parties will endeavour to appoint distinguished men of fair and impartial character.

A report on this subject was made to the President, Dec. 11th, 1799."

On the 19th December, Mr. Lee's explanatory letter and project were transmitted to Mr. King. The final result of the business may be stated at once. Measures were at first taken for obtaining conventional explanations of that article for the government of the commissioners; but as great difficulties were opposed to a settlement in that way, Mr. King was finally authorized to meet a proposition, that the United States should discharge themselves from their responsibility by the payment of a certain sum. A convention was accordingly signed at London, in January 1802, between Lord Hawkesbury and the American minister, fixing this sum at six hundred thousand pounds sterling, payable in three equal and annual instalments. The third article of this convention provided for the re-assembling of the commissioners under the 7th article of the treaty, and for the payment of their awards. The commission closed its labors in 1804, the American claims being most satisfactorily settled. A sum amounting to

nearly $11,000,000 was paid by the British government for indemnities.

A quorum of both Houses was present at the opening of the session. In the absence of the Vice-President, SAMUEL LIVERMORE was chosen President of the Senate. Several new members, among them Samuel Dexter of Massachusetts, took their seats. In the Representatives, THEODORE SEDGWICK was chosen Speaker. Mr. Harper was again appointed Chairman of the Committee of Ways and Means.

This Congress introduced into public life another individual destined to future eminence, in the person of him whose recent triumphant election to the Chief Magistracy of the Union, so shortly preceded the national solemnization of his funeral rites; of him who attained the height of his earthly ambition, but to relinquish his earthly existence; who found the vestibule of the capitol only the portal of his tomb. WILLIAM HENRY HARRISON appeared as a representative for the territory northwest of the Ohio, and by a resolution of the House was admitted to a seat therein, but not to the right of voting. And thus of the eleven individuals who have occupied the presidential chair, all but three were before the year 1800 in the federal legislature, or the civil office of the government.

The speech was delivered on the third of December. The topics above-mentioned; the insurrection in Pennsylvania, the mission to France, the renewal of intercourse with St. Domingo, the suspension of the boards of commissioners, were all adverted to in a general manner.

In connexion with the insurrection, a revision of the judiciary system was recommended to the consideration of the legislature as urgently required. The finances were also mentioned, and an investigation of the public expenditures as suggested by Wolcott was invited. With regard to external affairs, the President advised a steady

perseverance in a system of national defence, commensurate with the resources and the situation of the country.*

The answer of the House, prepared by a committee, of which Mr. Marshall was chairman, was simply responsive, and passed without opposition. "It was," says Col. Pickering, in one of his letters, "the result of a compromise; the three federal members going as far as they could in appearance of approbation, the other two agreeing not to bring forward an explicit motion. The reply of the Senate showed their feeling."

The condition of Congress at this moment was a peculiar one. The federalists, although undoubtedly in a majority, were yet from various causes paralyzed to a certain extent in their action. A want of union existed in their ranks, and a feeling of depression, notwithstanding the results of the late elections, generally prevailed. The cause was obvious. Mr. Adams' fatal step in instituting the new mission, had excited such deep rooted disgust in a large and influential class of the party, that whatever might at this time be the preponderance of strength, it was already foreseen that insuperable obstacles would be opposed to any zealous and united effort in the coming Presidential election. It was a singular fact that the southern members were more cordial in his support than those of the north. The reason is probably to be found, not in any personal predilection, but in the stronger desire of their constituents for peace, and in their ignorance (many of them being new members) of the relations in which he now stood to his party. On the other hand, the opposition though worsted for the instant, were daily becoming more compact and firm; they saw the discouragement of their adversaries; they felt their own advantages and the strength of their position, and they neglected

* On the 6th of December the treaty with Prussia, signed on the 11th of July, was laid before the Senate, and on the 17th, the instructions and correspondence were likewise communicated.

nothing which organization, discipline, and vigorous action could effect. Between the two parties stood the President. Irritated at the federalists, because he had forfeited their confidence, and they did not conceal their disapprobation; cajoled by the leading men in the opposite ranks, who desired still further to widen the breach; vainly thinking to achieve the impossibility of forming a third party, a party which under the name of constitutional, should have for the first article in their creed, devotion to himself, he temporized, trifled, and yet in every thing acted finally with rashness and precipitancy.

And at this moment WASHINGTON died.[a] At no period of his long and useful life had the weight of his name and character been more wanted; never could his loss have been a greater public affliction. While he remained, the federalists knew that they had yet a rallying point round which they could gather; a leader whose firmness was unshaken, and upon whose wisdom they could always implicitly rely. His death hushed for a moment even the violence of the political storm, but they felt in that pause that the sheet anchor of the ship of state had parted its fastenings. Those who have followed the early history of this country, must have seen, and seen with pain how much of its safety, how much of its virtue, depended upon the influence of a single name, on the popularity of a single individual. Disguise it as we may, the fate of the constitutional government would have been more than doubtful, had its infancy been committed to the care of another, and there is too much reason to believe, that even after his immediate guardianship had ceased, his earlier death would have involved its destruction also.

The animosity of the President towards Hamilton, showed itself in his neglect to appoint him to the command of the army in place of the deceased chief. This

[a] He expired on the evening of the 14th December.

it has often been insinuated, was the moving cause of Mr. Hamilton's subsequent opposition to Mr. Adams' re-nomination. It has, however, been abundantly shown that other causes existed, and had their effect long before, though the present slight was by no means calculated to remove such impressions as previously existed.

The report of the Secretary of the Treasury to the Commissioners of the Sinking Fund, showed a favorable state of affairs, as regarded that institution; the interest and instalments falling due during the year, amounting to $1,034,938 02, having been met from the income and reserved revenues, and a balance remaining, sufficient for the approaching payments. The report to the House, of Dec. 18th, exhibited the following general result.

Gross receipts of the financial year, ending with the month of September,	$12,777,587 09
Expenditures for the same period,	10,351,703 75
Leaving an unexpended balance in the Treasurer's hands of	$2,422,783 34

Of the sum thus received, there had been obtained:

From the duties on Imports and Tonnage,	$6,437,086 34
From the Internal revenues,	773,562 76

Of the remainder, about four millions were obtained from the 8 per cent. loan, the whole of which, being five millions in all, was taken up before the expiration of the year.

The import duties had fallen off, as appeared from this statement, about one million from the amount collected in 1798, a result attributable, partly to the continued embarrassments of trade, partly to the financial troubles, and the destruction of industry which necessarily attended the war in Europe. The internal revenues on the other hand, had increased in actual productiveness.

FROM GEORGE CABOT.

BROOKLINE, Dec. 16, 1799.

My Dear Sir,

The intimations contained in the speech, are of the sort which I feared; but not so plain as I expected. The partisans of Jacobinism rejoice to see that the principles of their sect are no longer denounced, and triumphantly ask if it is not evident now, that the charges of their enemies are calumnious? Great pains had been taken, they say, to misrepresent them to the people, and to make it believed that the French revolutionary system, was a war against real liberty and legitimate property in every country, and that the owners of property every where, ought to discountenance it; but, it is asked now, if this were true, would the heads of our nations be seen negotiating with France? Would they treat with the Directory, if it were true that the Directory were supposed capable of such vile conduct as is ascribed to them? At any rate, they say that the President discards the jealousy of French designs, which had begun to take hold of our citizens, &c. But if the silence observed toward French principles, is in itself so grateful, it is no less so to find some general expressions of uneasiness, which may be explained by the well known feelings towards another nation, which are always popular. To these sources of pleasure, the Jacobins add the hope of getting rid of the army, and the influence of some great men connected with it, so that the pure principles of democracy may be no longer restrained, but have a free course, as in France.

How often has it happened, that we have derived from our blunders greater benefits, than from what we should have called the wisest policy? There is a reason for this, which, in many cases it is easy to discern. The republic is not to be despaired of. If we are to have an inundation of democratic evil, we shall have better dikes afterwards; if we are only threatened with them, we shall strengthen those we have. While I cannot but feel the greatest concern for the events which are soon to happen, I confide in the ultimate good destiny of our country, and I feel extremely anxious that those who now labour to administer its affairs properly, should then enjoy the superior satisfaction of having strove against every errour, and persevered in fulfilling duties, the more difficult, from being left unsupported. Sure am I at this moment, that the merit of those men whose services are now rendered under circumstances of great discouragement, is distinctly seen, and justly valued by the wisest and best citizens. Suffer me therefore, to hope that the helm of State will not be abandoned by those who watch, while they cannot guide it. It is often remarked, that the situation is difficult as well as delicate, into which the auxiliaries of our federal head are brought, but it always is maintained, that their honour and dignity will be best supported, by a steady, inflexible adherence to official duties.

I don't know why I trouble you with ideas of this sort, unless it is that I partake of the fear sometimes expressed, that the patience of our Secretaries will be exhausted. It ought not to be supposed possible, and therefore I pay them no compliment in admitting its influence for a moment. With unfeigned attachment, esteem and respect, I am always your obliged, and faithful friend,

GEORGE CABOT.

TO FISHER AMES.

PHILADELPHIA, Dec'r. 29th, 1799.

I have received your excellent letter of the 16th instant. Among the many deficiencies of which I am conscious, no one appears to my own mind more reprehensible, than the neglect with which I have treated your correspondence. Your letter of March 19th in particular, ought to have been answered. I read it with attention. I recollect its contents, and cannot sufficiently regret that the world was not seasonably acquainted with the true character of the person therein described.

Since the departure of the envoys, our political magicians have gravely employed themselves in reconciling contrarieties; their experiments would afford exquisite amusement, were there no room to apprehend mischief to the country. Very little is said by discerning men, about the state of our public affairs, except in confidence; all profess a desire to extinguish party spirit, to cultivate friendship and harmony, and at all events, to maintain union in the federal party. A few weeks ago, it was said that France was so reduced as to be unable to injure; that there would be a general peace this winter; others said that there would be no peace, but that the allies would grow insolent, and that policy required us to join the weaker party, and thus preserve the balance of power. It is now discovered that the coalition will dissolve; that France will triumph, and it is said to be wise to conciliate, and not rashly plunge into war with a victorious nation. There is, however, a class of statesmen who, from all I can collect, ought to be deemed the orthodox sect; who, with arch looks, and petrifying gravity, affect astonishment that the mission should be considered as a deviation from the system of the last Congress. They say that the French overtures were insidious, and intended to divide the country; that a treaty is not to be expected; that the Directory are infinitely mortified, that what was intended in jest, was taken in earnest; that the country is now more united than ever; that confidence in the government has been strengthened, and that the mission was a fit and indispensable preliminary to a declaration of war!!

But notwithstanding this grimace and masquerade, nobody is deceived, and all are conscious that there exists some difficulty; the confiding, unsuspicious part of the community, who have no means of acquiring accurate information, are however, deceived by appearances, and lulled into a state of security.

The anti-federalists of Virginia, who have more ability than in any other part of the Union, declared that peace with France is attainable, if right steps are taken; that the President has been forced by public opinion, to adopt a measure which he dislikes; that very unsuitable characters have been selected as envoys; that much valuable time has been lost, and they affect apprehensions that the prejudices of the President, and the inveterate malice of the officers of the government have dictated improper conditions of negotiation; they admit, however, that considering all circumstances, the President has shown such respect for the voice of the people, as justly to entitle him to an increase of their confidence; and they expect from the magnanimity of France, that great allowances will be

made for the unfortunate condition of the American republicans under the present administration.

It is the nature of all political parties, to consider their opponents as invariavariably in the wrong. The southern federalists have of course, been induced to vindicate the mission, as a sincere, honest, and politic measure; both parties are waiting the result. The failure of the negotiation, if that should happen, will be adduced as a new and conclusive proof that the French government is hostile, and unjust; if it succeeds, the anties will infer that all the clamour heretofore raised against France, was unfounded; and if peace should not be made, the failure will be attributable to bad management, and a new, and fair experiment be demanded.

Considering the state of the House, it was necessary and proper that the answer to the speech should be prepared by Mr. Marshall; he has had a hard task to perform, and you have seen how it has been executed. The object was to unite all opinions, at least of the federalists; it was of course necessary to appear to approve the mission, and yet to express the approbation in such terms as when critically analyzed would amount to no approbation at all. No one individual was really satisfied; all were unwilling to encounter the danger and heat which a debate would produce; the address passed with silent dissent; the President doubtless understood the intention, and in his response has expressed his sense of the dubious compliment in terms inimitably obscure.

The following may be considered as a tolerably correct outline of the state of the public councils. The federal party is composed of the old members who were generally re-elected in the northern, with new members from the southern states. New York has sent an anti-federal majority; Pennsylvania has done the same; opposition principles are gaining ground in New Jersey and Maryland, and in the present Congress the votes of these states will be fluctuating and undecided. A number of distinguished men appear from the southward, who are not pledged by any act to support the system of the last Congress; these men will pay great respect to the opinions of General Marshall; he is doubtless a man of virtue and distinguished talents, but he will think much of the State of Virginia, and is too much disposed to govern the world according to rules of logic; he will read and expound the constitution as if it were a penal statute, and will sometimes be embarassed with doubts of which his friends will not perceive the importance.

General Lee is a man of talents, address, and ambition; he is not entirely pleased with having been appointed a provisional general; but he can and will dissemble his resentments when the expression of them will not promote his interests; he will play a part, and will have, or I am mistaken, some projects, in which he will be joined by some of the anti-federalists.

The northern members can do nothing of themselves, and circumstances have imposed on them the necessity of reserve. The President will be supported by many, from personal considerations; some believe he has acted wisely; others consider it impolitic and unjust to withdraw their support, though they admit he has committed a mistake. The President's mind is in a state which renders it difficult to determine what prudence and duty require from those about him. He

considers Col. Pickering, Mr. McHenry, and myself as his enemies; his resentments against General Hamilton are excessive; he declares his belief of the existence of a British faction in the United States.

In some unguarded moment he wrote a letter to Tench Coxe, attributing the appointment of Mr. Pinckney as minister to London, to British influence, and suggesting that if he (Mr. A.) were in an Executive office he would watch the progrees of that influence. Coxe has perfidiously disclosed this letter, and copies are circulating among the suspicious and malignant. This state of things has greatly impaired the confidence which subsisted among men of a certain class in society; no one knows how soon his own character may be assailed. Spies and informers carry tales to the President, with the hope of producing changes in the administration. Mr. Otis, your successor, is suspected of aspiring to the office of Secretary of State. Cunning half Jacobins assure the President that he can combine the virtuous and moderate men of both parties, and that all our difficulties are owing to an oligarchy which it is in his power to crush, and thus acquire the general support of the nation. I believe that I am not mistaken in any of the facts which I have stated; it is certain that confidence is impaired, but no man can be certain that, when many are interested in promoting dissension, he may not himself be the dupe of artifice; possibly this is my own case.

Among the officers of government there is a sensation of unhappiness. I do not know whether you are acquainted with Mr. McHenry; he is a man of honour and entirely trustworthy; he is also a man of sense, and delivers correct opinions when required, but he is not skilled in the details of Executive business, and he is at the head of a difficult and unpopular department. The diffidence which he feels, exposes his business to delays, and he sometimes commits mistakes which his enemies employ to impair his influence.

Mr. Lee is a sensible man, and I think a candid man, who thinks much of Virginia; he fears disorders and a dissolution of the union; he frequently dissents to what is proposed by others, and approves of the sentiments of the President, but with respect to *measures* will rarely take an active part.

Mr. Stoddert is a man of great sagacity, and conducts the business of Department with success and energy; he means to be popular; he has more of the confidence of the President than any officer of the government. He professes to know less than he really knows, and to be unequal to the task of forming or understanding a political system; he will have much influence in the government, and avoid taking his share of the responsibility.

In this state of things, the country has lost her Washington. There can be no doubt that his character afforded a resourse in an extreme case. The President may attempt, but he will attempt in vain to be the arbiter of contending factions.

The states of Virginia and Pennsylvania mean to carry on a legislative opposition to the government;[a] in the latter the majority of the Senate is federal, in

[a] Virginia passed a law to destroy the district system of electors, in order to secure the whole by general ticket. The lower House in Pennsylvania attempted the same thing, but the bill was defeated in the Senate.

the House the case is different; the Senate is desirous of providing by law for the choice of electors in districts, by which mode the votes would be divided; the House is said to be inflexibly determined that the election shall be general throughout the State. It is reported, and I consider it as probably true, that the Governor has decided that he will reject a bill for a district election, and if no law is passed, that he will authorize and regulate a general election by proclamation. If this course should be pursued, and the choice of a President should depend on the votes of Pennsylvania, a civil war will not be improbable; in any event we may consider the public councils as a conclave of cardinals, intriguing for the election of a Pope; the best we can hope for is, that the passions of the parties will evaporate in slander, and every species of injustice short of the employment of actual force.

The steady men in Congress will attempt to extend the judicial department and I hope that their measures will be very decided. It is impossible, in this country, to render an army an engine of government, and there is no way to combat the state opposition but by an efficient and extended organization of judges, magistrates, and other civil officers.

The revenue fell short the last year one million of dollars, that is, the duties on imports decreased from seven millions and a half, to six and a half millions, and we are to expect great troubles from the explosion of commercial credit in Europe. The British finances have been managed with great skill, but Mr. Pitt cannot do what is impossible; he cannot support the public credit much longer. Our merchants will suffer considerably from the stock of West India goods unsold, and will not be pleased with an increase of duties; we must, however, increase our revenue in some way or other; in the meantime, we can borrow, perhaps, on better terms than heretofore, in consequence of the events which have lately occurred in Europe. But although the state of our finances is yet sound, and though we can borrow sufficient for our immediate wants, it is necessary to remember that our permanent revenues cannot be estimated higher than eight millions of dollars, and that the expense of our existing establishments, including the public annuity, amounts to thirteen millions; we must borrow five millions annually; and to provide permanent revenues of even four hundred thousand dollars for several successive years, will require much firmness in Congress. The public creditors will not long suffer the debt to be increased, without an increase of revenue at least adequate to the payment of interest.

The direct tax has been attended with as little opposition as I expected, and a considerable part will be collected during the ensuing year, but the tax is not permanent, and can only be considered as an experiment: that part which will be assessed on new and unproductive lands will come slowly into the treasury. It is not a fact that the ability of people of different States to pay taxes, is in proportion to their numbers, and it is therefore certain that direct taxes which must be apportioned to the States, will be found unequal and of course odious, except in times of war or imminent danger. A tax on houses might be so modified as to raise a considerable revenue without opposition, but many say that a house tax must be apportioned to the States: time will correct this idea, but such a tax cannot now be obtained.

The only question which will arise respecting the army, will be whether it shall be disbanded, or the present establishment continued upon condition of suspending further enlistments. The subject is attended with vast difficulties in whatever light it is considered. The Generals, and I believe I may say the officers, with their connections and a great proportion of the wisest and best friends of the government, think the existing army ought to be preserved as a permanent establishment. Nothing, however, is more certain than that the army is unpopular, even in the Southern States, for whose defence it was raised. Who is to defend the army if the Southern members oppose the establishment, or even support it faintly? The Northern people fear no invasion, or if they did, they perceive no security in a handful of troops; nobody has thought it prudent to say that the army is kept on foot to suppress or prevent rebellions; for such a purpose, the troops are worse than nothing, especially as the state of idleness to which they are necessarily condemned, tends to corrupt their principles. It was not encouraging to know that companies of Federal troops shouted for Governor McKean, yet such facts have happened. In short, the army is composed of men; it has its intriguers, it has its factions, and is infected with the spirit of the times; how can it be otherwise when the President's opinion of the General is no secret? when all feel insecure, and perceive that essential changes in the administration are preparing?

I anticipate your surprise at the perusal of these observations; candour requires me to say that my opinions are singular, and have been kept in my own breast as much as possible. A year since, the army was in the power of the government, and I then freely explained my sentiments to General Washington and General Hamilton, that it ought to be the immediate object of the government to form ample arsenals, and deposit therein arms and ammunition adequate to the supply of the whole force of the country; that but few officers ought to be appointed, and the expense of supporting idle men avoided as much as possible. I stated my doubts whether the best selection of officers could be made at that time, whether the best men could be enlisted, and whether it was probable that the establishment could be maintained. The reply was, that if money could be borrowed, the army ought to be raised; and that the delay which had happened was hardly to be excused. Finding the decision against my sentiments, the money was procured, and nothing has been omitted on my part to give success to the system of government.

To reduce the army while the mission is pending, will be most humiliating; it must be supported for the present year at least. I presume that all are agreed respecting the policy of forbearing to accelerate enlistments. I hope no law will be passed requiring the suspension, as such a measure would tend still more to repress a spirit which is already at too low a point.

I beg you to believe that my observations respecting the army are not dictated by a desire of being thought wiser, even on the point in question, than General Washington and General Hamilton. My self love, if I am not deceived, carries me no further than a desire that you may understand that I have been consistent, and have not adopted a new opinion in opposition to my friends at this critical

period. My sentiments are but little known. I should not disclose them at this time, did not the plan of this letter require that I should open my whole heart.

The events which have lately occurred in Europe, in my opinion diminish the probability that the Envoys will negotiate a treaty with France; the Directory well consider how they can best extend their power and influence, and they will be embarrassed with opposite considerations; a treaty would, according to present appearances, procure France some supplies, and tend to embroil us with England; on the other hand, the French will wish to yield peace to a Jeffersonian administration, who would give them better terms. The expectation of uniting this country against France, which is indulged in by the friends of the mission, will be found fallacious. I shall be well pleased to find that the French do not, by uniting favourable with inadmissible terms of negotiation, furnish a new source of dissention.

Your information respecting the general state of Europe is probably equal to what I possess. Germany and the Northern nations, except Russia, are full of discord. The emperor of Germany is accused, and I believe justly, of having ruined the cause of the allies, by his rapacious ambition. In Italy he has conquered for himself and not for the old system of government. The co-operation of the Swiss was lost merely from the want of a declaration that the ancient governments should be re-established. Viewed with reference to the moral causes which will decide the fortunes of the parties in this war, there is reason to fear that the campaign has on the whole been favourable to France.

I find I have written a long and very dismal letter; perhaps it will be found that the country will really suffer but little from the events which are foreboded. I thank God that politicians have much less power than they are apt to imagine. In the worst of times, the great body of the people have been tranquil, and have fancied themselves secure; let us presume that no great national calamities await the present and a few succeeding generations of the United States.

You are sensible that I cannot often write even a short letter, and that I rarely write much with the freedom I have taken in this. It is not that I am cowardly, but because I cannot write what I do not think, and am determined not to be factious. This is intended for the eye of friendship. You have my permission to show it to Mr. Cabot, after which I request it may be destroyed, and the contents remain a secret.

FROM FISHER AMES.

DEDHAM, Jan. 12, 1800.

(Private.)

My Dear Sir,

For my correspondence, you owe me neither punctuality nor apologies. It is not a mock modesty, for I hate affectation, and most of all among friends, but a correct sense of your situation and mine that makes me say that I cannot make you any adequate return for the favour of your correspondence. I possess no information of facts, and my sentiments are known to you before I write them down. I have, therefore, made little other excuse for writing to you, than such

as I glean from my own repeated assurances that you are tax free; if you reply, it is *ex abundante;* if you forbear, still I thank you for allowing me to pour forth my bad temper and bad spirits upon you. Let this perfectly sincere explanation suffice; there is not a word of compliment in it. Let it be a treaty between us; on my part, it is a release of all demands on your pen and ink. It was in this frame of mind that I received your long letter of the 29th December. I am flattered exceedingly by your frankness; I know that it is a mark of your trust both in my friendship and discretion; you do not lavish such things. I am not behind Mr. Cabot in regard for you, and I will add in respect, too; he, alone, shall know the contents; they are a treasure which I should be unworthy to possess if I could not bring myself to destroy. I will do it after I have read the letter a hundred times more; yet, I confess, however informing, I was not quite unapprised of most of the circumstances detailed in it. My knowledge is now more perfect on each article, and much the more comprehensive for your assistance.

I have neither time nor maturity of thought to write you a long letter; yet I wish to do it. The views you have taken of our affairs are profound; they appear to me perfectly just; yet I should think two hours most agreeably spent in discussing some of your points, and as we are not soon to converse together, I will seek some leisure to put my reflections into writing. In the meantime, I would spend this sheet in suggesting my first impressions, but I scarcely know where to begin. Your observations furnish the materials for a book, which I have no fancy to write, as the readers would consign it to the hands of the hangman to burn.

The fact really is, that over and above the difficulties of sustaining a free government, and the freer, the more difficult, there is a want of accordance between our system and the state of our public opinion. THE GOVERNMENT IS REPUBLICAN; OPINION IS ESSENTIALLY DEMOCRATIC—(perhaps I have said this very thing in a former letter—no matter if I have). Either, events will raise public opinion high enough to support our government, or public opinion will pull down the government to its own level. They must equalize. The false notions of liberty are pretty general among those who read and are thought to understand, so that over and above the error into which the multitude is prone to fall from passion and prejudice, is that which is imposed upon them by authority. The guides they take, are not fools but fanatics. Political fanaticism has its run in Virginia. I give them credit for being fools in earnest, as to democracy. This admission does not hinder their being factious and knavish. The extreme sensibility of the good men in Virginia to silly principles and silly people, has ever been characteristic. Madison crept into the first Congress by some declarations in print, which made some persons say then, there was not room for him to crawl through with his principles, and therefore he was forced to crawl without them. Jefferson, in 1789, wrote some such stuff about the will of majorities, as a New Englander would lose his rank among men of sense to avow. They are not ashamed, in Virginia, of most of the disorganizing dogmas of Tom Paine, and they are afraid to contest their authority. Add to all this ordinary and extraordinary fertility of popular errors, the infinity of the product of other causes.

Our government is feeble in its structure, and therefore factions are bold and powerful. The rival state governments are organized factions, and I have long seen, are systematically levying the force to subvert their common enemy. New York will be Jacobinized; Massachusetts is threatened with Gerry, who, though a weak creature, would unite the confidence of the anarchists and would gain and abuse a portion of that of his adversaries. Within the United States, I see the great states leaguing together under democratic governors; Jefferson and Co., at the head of a stronger faction than any government can struggle with long, or prevail against at last, unless by military force; for it is obvious to me, that all other modes of decision will be spurned as soon as the anties think they have force on their side. Abroad, I see France, by the judgment of Heaven on our infatuation, put into possession of the means of wielding our government by the faction in their interests. The government, amidst all these dangers, afraid of its friends, parrying no blows but such as are not aimed at it, confident of bullying England and of outwitting France, stingy of its resources; as the danger thickens and approaches, it will certainly be more divided in affection, more confounded in counsel, more tardy in preparation or action. This dismal state of things seems to discourage the hope of doing much with effect, or of preparing anything without incurring the risk of its being seized and converted into a weapon for annoyance by the foe. But though this is a serious danger of the army, though, you justly remark, it is no engine of the government, the civil magistrate and process are better ordinary means of self-defence, yet I hesitate to admit that *therefore* the army must not be levied and relied upon. It is certainly a subject of great nicety, requiring the soundest judgment to decide on the proper choice of the means of self-preservation in the crisis which is near, as my belief is, that the appeal will be made to arms. I would have in preparation the force to decide the issue in favour of government. It is not an ordinary, it is an extreme that I contemplate, and when that happens the difficulties you so forcibly exhibit will disappear. Neither the want of revenue nor of popularity will disarm a military force at such a period. All force, all revenue is viewed by the factious as the power of a foe, and therefore they will try to strip the government of both, but it must have both or be a victim to the faction; and if our people cannot be brought to bear necessary taxes, and to maintain so small a force as our army, they are (and I am afraid they are) unfit for an independent government. The army will be democratic, factious, and perhaps treacherous when wanted; but means could be used to prevent, or, in due time, before using force, to cure this evil, and once impelled the right way they would keep on in it. Nor can I, quite so far as you seem to go, admit that our handful of troops would not much help the government at a pinch; a few thousand, or even a few hundred regular troops, well officered, would give the first advantages to government in every contest; and that, by allowing the cause of order and law to take the upper hand at the outset, would probably decide the event against faction. Besides, when things approach to extremities, a different state of things will exist. Even trimming popularity seekers, and all real patriots will ask for shelter under the force of the government. Taxes and armies would then be popular. In common times they must be unpopular, and however necessary the augmentation, it must

be gradual, except when danger is seen to be near and felt to be great. But if the want of money first exists, the resources for it will be supplied, and the faster for that want. I do not much reluct at expenses when prudently chosen and assented to by Congress, because I know the country is in no want of means, though it requires time and a train of good habits to draw them forth. On the whole, the prospect is dismal, and perhaps human wisdom is too short-sighted to provide resources against the danger. To push on too fast while public sentiment lays far behind, would be rash; on the other hand, occasions must not be lost to get for the government such means of self-defence as they present. Jacobinism is certainly spreading from towns and cities into the country places. It is less watched and less warmly resisted in the latter than the former. It is, therefore, getting to be much at home in the country, and will remain till the convulsion of some great internal events shall change the whole political and moral order of our nation. Then, taught by suffering, we shall learn wisdom, when perhaps it is too late to put it in practice. I have written more than I intended, with too much haste for method or precision. Yours truly,

FISHER AMES.

FROM GEORGE CABOT.

BROOKLINE, January 16, 1800.

(Private.)

My Dear Sir,

Mr. Ames passed last evening with me. He is to pronounce the eulogy of Washington before our State Legislature, three weeks hence. I hope he will weave into it as much as possible, of his own politics. They are such as Washington approved, and I hardly know what greater praise can be given him, than a display of this fact.

I have viewed and reviewed again and again, the picture you have drawn. I wished to discover that you had thrown over it an air of gloom darker than the truth, but I believe it is a versimilitude in every particular. From the moment the mission to France was announced, it was to be foreseen that the President would part, wider and wider, from every active, firm friend of the anti-jacobin policy, which had been with great difficulty just established. It was to be foreseen that a direct attack of external enemies being no longer dreaded, no sufficient reason could be offered to the people for subjecting them to the burden of armies and taxes; always odious when first imposed, and only submitted to from a conviction of indispensable necessity, so plain and obvious that no one can dispute its existence. Every sagacious man however, must discover that, while the appearance of danger has diminished, its reality has increased; and thus we are thrown back into a state of peril and embarrassment similar to that we were in several years ago. The difficulty then was to make the people sensible of the nature and extent of the dangers to which the country was exposed, and to rouse a sufficient indignation to repel it, where they were almost persuaded a measure was adopted which contradicted all they had been taught, and repressed the rising spirit. Should the mission now fail, and France be insolent, it will be in

vain to address the people's resentments upon a subject on which their passions have already evaporated. But be all this as it may, it is not the less incumbent on government to provide for the public safety, by all the means in their power. Whatever may be the obstacles to an army, they ought to be overcome; the whole world is becoming military, and if we are wholly otherwise, we shall be as sheep among wolves. Indeed, we have wolves enough within our own fold to destroy us, if we cannot keep up our own guards.

I have more than once been informed that Mr. Pitt has expressed, in the British cabinet, his willingness to make peace, but has been overruled. I have accounted to myself for this circumstance, so extraordinary in a man of his inflexibility, by supposing that he alone felt the extreme difficulty of providing the means to support the war. If the similarity of situation can be supposed to have biased your opinions, I should not wonder, for notwithstanding our boasted resources actually existing, such is the machinery by which they are to be drawn forth, that an American financier has not greatly the advantage over the British. The acquiescence in the direct tax is such as I hope will encourage the federalists to make it permanent; but why should not some of the impost duties be greatly increased? Half a dollar upon every fifty-six lbs. of salt would be an excellent tax. The article is bulky and imported, and therefore the tax would be productive. Though not, probably, perfectly equal, it would be as much so, probably, as any tax can be; and if it be punctually and perpetually paid, the inequality will be almost annihilated by the operation of well known principles. I see no objection to doubling the duties on tea, and raising them considerably on coffee and sugar. There is certainly no reason why these, and many articles should not be taxed as high as they will bear without encouraging smuggling. *This* is a limit very important to be known. I am not enough in the world to know what passes openly, still less clandestinely; but I have always entertained great fears on this point. So far as I have known the opinions which have prevailed, smuggling appears to have been considered infamous—whatever has been practised, must therefore have been hidden from the citizens as well as from the revenue officers, and very few men probably have been hardy enough to hazard the disgrace; but we have had a tide of commercial prosperity constantly flowing; this must turn, and the *auri sacra fames* will then subdue many scruples. The selection of taxes is a choice among difficulties, and it abundantly appears, I think, that indirect taxes, as they are called, are the most tolerable, and therefore these must be carried as high as they can be collected. Doubtless new and additional guards will become requisite; but as it becomes more and more understood, that all smuggling is paid for by the fair trade, I think a pretty vigorous system may be established. From the money loving character of our people, as well as from the nature of our government, I have always thought the revenues are to be principally secured by the force of pecuniary penalties. If these can be so contrived that they cannot be avoided, but shall be always dreaded by those who offend, I think the offenders will be few and the revenue safe; my object would be to have penalties certain rather than excessive, and subject to no limitation of time or place, which should bar full proof.

Your view of continental Europe is more unfavourable, and much more pro-

found than my imagination had formed. Doubtless the selfishness of the German Emperor is a bar to the exertions of the conquered States; a glorious opportunity has been lost to destroy the power of Jacobinism. So much depends on opinion, that the successes of the campaign in Italy would have armed half of Europe against France, and half of France against the usurpers, if the coalition had acted fairly on principles entirely just, and had supported faithfully their first enterprises. Suwarrow had consumed his army by employing them in the service he had to perform. He was exhausted, though always victorious, and as he approached France, the main body of his enemy, he was almost alone. But will not the adversity which closes the campaign, operate to unite more closely and effectually the three great powers? I confess to you, nothing can exceed my chagrin at seeing a campaign which promised every thing to my hopes, produce so little. Still, however, it has produced something of value. It has proved to the terrified people of various countries, that their oppressors are not immortal, and that whoever opposes them with courage will defeat them. It has shown France incapable of such great efforts as she made for several successive years, when she easily sent forth eighty or one hundred thousand soldiers, to plunder and destroy those who refused to be her willing slaves. She has, this year, manifested great anxiety for the safety of her system, and has been unable to command for her own defence. The recall of several great leaders from Egypt, indicates an abandonment of all hope of any success in that quarter, and probably was in part occasioned by a want of the name and talents of some of them, and the support of their united partisans.

I do not yet despair of reaping, next year, the golden harvest I vainly expected at this time. The success in Holland may tempt the French once more to expose their fleet. They have strong inducements, and if they yield to them, England will probably be invigorated by another naval victory. Heaven bless you and yours,

G. CABOT.

FROM GEORGE CABOT.

BROOKLINE, February 28, 1800.

My Dear Sir,

If Mr. Babcock shall not have left your city when this letter arrives, will you have the goodness to charge him with the various letters addressed to my son, some of which are probably in the post office at Philadelphia; and if Mr. B. is departed, will you desire the post master to direct and forward them to New York.

I presume you have learnt that the King of Denmark has joined the coalition, and that a treaty is negotiating at Stockholm with a view to engage Sweden. It is determined, if this can be accomplished by England and Russia, to treat other powers who shall trade with France, as *accomplices*.

Talleyrand was taken under the consular patronage, upon the belief that the Envoys from the United States were on their passage to France. It is hoped in England, that Suwarrow will be largely reinforced, and with the addition of a

German division, will act on the Rhine, and that Austria will act separately. Doubtless, if the Emperor of Germany is disposed, the allies may carry all before them; but our past experience does not authorize us to expect the sincerity and good faith which the interest of all requires. I remain, &c.,

GEORGE CABOT.

FROM RUFUS KING.

LONDON, December 31, 1799.

Dear Sir,

I took an early occasion after the receipt of your letter of the 4th October, to mention its contents to Mr. Pitt, who appears to think that your views in the main agreed with his, and desired me to give him the earliest information of the result of such propositions, as you should make to Congress. In consequence of the pecuniary embarrassments, arising in part from the fall in the prices of West India productions, the law that took off the drawback on sugar and coffee, was during the last session of Parliament suspended for a year. Should the embarrassment continue, as it is not improbable, it will be requisite to prolong the suspension. Notwithstanding the unexampled liberality of the bank in its discounts, the permission to bond the duties on sugar, coffee, &c., instead of paying them as formerly at the time of entry, and the re-establishment of the drawback, the difficulties among commercial men are extensive and serious. The early and severe setting in of the frost, which has totally cut off the trade to Hamburg, and which improves that of Holland, has added to the distress, that will scarcely be removed before the disappointments expected in the remittances from America will begin to be felt; so that whatever the commercial difficulties may now be, it is apprehended that they may be still greater towards midsummer. With all the management of government, the necessary collection of money to pay the half yearly dividends is supposed considerably to affect its circulation, and united with other occasional causes produces a periodical stagnation that excites inquietude, as well as impairs the general propriety. This evil increases with the increase of the public debt, and in the eyes of some speculative men is already formidable.

My persuasion is, that no peace will be made this winter, and that the next campaign will be as vigorous and bloody as the last. I hope the Washington, in which, as I informed you in my letter of the 7th September, we have 2000 muskets, and some other articles of public property, may arrive safe. The Woodrop Sims, in which, as I also informed you in my letter of the 7th September, we had 1500 muskets, with two or three boxes, containing the dies of the Indian medals, ordered by Col. McHenry, some books, charts, and a few other small articles, has been taken and carried to Bordeaux.

With sincere regards, &c., &c.

RUFUS KING.

The report of the Secretary of War to the President, on measures which appeared to him necessary for the

improvement of the military system, was transmitted to Congress on the 14th of January. It recommended the formation of a military academy for the education of a body of officers and engineers, adequate to any future exigency, and qualified to discipline troops for the field, and to give efficiency to their operations. The project had been a favorite one with Washington, and was recommended by every consideration of policy, in a country where a standing army of force was both impossible and undesirable. Mr. McHenry submitted the details of his plan, which contemplated likewise naval instruction. The report exhibited a statement of the progress made in the augmentation of the forces and their disposition, and suggested a number of material improvements in the service, including the introduction of horse artillery, a system of fortifications, and a revision of the military code. At a subsequent period of the session a further communication on the subject of the schools was made to the committee of the House, but no definite action was taken upon it.

The Committee of Ways and Means, to whom the estimates for 1800 were referred, addressed the Secretary on the 6th of January, requesting an estimate of the expense and revenues according to existing laws; a statement of the receipts and expenditures for the last quarter of 1799, as far as ascertained, and a statement of the account between the United States and the bank, especially with respect to the reimbursement of former loans. These were returned on the 22d, and were as follows:

ESTIMATES OF EXPENDITURE AND REVENUE FOR 1800.

EXPENDITURES.

For the foreign debt due in Amsterdam and Antwerp, principal and interest, - - - - - -	$911,121 00
For the Domestic Debt, exclusive of the Sinking Fund,	3,402,369 18
For the interest on stock belonging to the Sinking Fund,	193,018 51
For interest and reimbursement of domestic loans, -	404,400 00

Expenditures for 1800 on the basis of the estimates of December 7, 1798, to wit:

Civil List,	562,275 95	
Annuities and Grants,	953 33	
Mint Establishment,	13,300 00	
Expenses of intercourse with foreign nations,	132,000 00	
Expenses incident to certain treaties,	268,000 00	
Expenses incident to valuation of houses and lands,	215,000 00	
Military Establishment and Indian Annuities,	4,078,200 00	
Naval Establishment,	2,462,953 99	
Military Pensions,	93,000 00	
Arms and Ammunition,	1,004,202 12	
Light Houses,	98,240 03	
Miscellaneous Claims,	34,000 00	8,982,125 42
Building six 74 gun ships, if continued,		1,300,000 00
Further Appropriations,		200,000 00
Estimated amount of Expenditures for 1800,		$15,393,034 11

RECEIPTS.

Revenue from Imposts and Tonnage,	7,000,000 00
Internal Duties including Stamps,	800,000 00
From the direct tax,	1,200,000 00
Postage of Letters,	36,000 00
Fees on Letters Patent,	1,400 00
Dividends on Bank Stock,	71,040 00
Proceeds of the Interest Fund,	193,018 51
Estimated Revenue for 1800,	$9,301,258 51
Monies in the Treasury, and applicable, to the amount of	1.000,000 00
Balance to be provided,	5,091,775 60
	$15,393,034 11

In transmitting these statements, Wolcott observed, that various enquiries having been made respecting the public debt, he had judged it expedient to state the capitals of the different stocks at the close of the year. These it is unnecessary to repeat here, as they will be noticed in reviewing a subsequent report.

The following statement exhibited the increase which had taken place in the debt under the constitution.

The debts incurred and remaining unpaid were:

The balance due to the Bank of the United States, - - -	$3,640,000 00	
Deduct shares held by the United States,	888,000 00	2,752,000 00
Six per cent. stock issued pursuant to act of May 31, 1796,		80,000 00
Eight per cent. stock issued pursuant to act of July 16, 1798,		5,000,000 00
Six per cent. navy stock issued pursuant to act of June 30, 1798,		109,200 00
Do. to be issued in payment for ships now preparing for service, and which might be considered a debt incurred, but not liquidated, - - - - - - -		820,000 00
		$8,761,200 00

To which were to be opposed the following sums, viz:

Sums of stock purchased, redeemed, and vested in the trustees of the Sinking Fund, - - - -	4,704,219 61
Sums re-imbursed Jan. 1, 1800, of the principal of the 6 per cent. stock, pursuant to act of March 3d, 1795, computed at,	2,540,641 90
	$7,244,861 50
The principal of the debt of the United States had therefore increased since the establishment of the present government, the sum of - - - - - -	$1,516,338 50

Although the President had in his opening speech expressed his conviction, that "the result of the mission to France was uncertain; but, however, it might terminate, a steady perseverance in a system of national defence, commensurate with our resources and the situation of the country, was an obvious dictate of wisdom," and although he had strongly urged upon the attention of Congress, the able and judicious recommendations of the Secretary of War, in regard to his department, it was seen at a very early period of the session, that his conduct had produced a stronger impression than his advice; that either the desire of peace had begotten in Congress an expectation of obtaining it, or that they felt that it would prove impossible to sustain active measures under circumstances which were presumed to have rendered negotiation justifiable. A bill had accordingly been introduced, suspending all

further enlistments, and as this would make a variation in the army expenditures, the Chairman of Ways and Means requested from the Secretary of War, estimates of the consequent reductions. A similar inquiry was made of the Secretary of the Navy, relative to the reduction consequent on discontinuing the seventy-fours.

The committee reported on the 21st of February, the bill having in the meantime passed both houses. It appeared from the replies of Mr. McHenry and Mr. Stoddert that about $1,600,000 might be saved in their departments by the contemplated measures; and as there was already one million in the treasury applicable to the service of the year, the deficiency would thus be reduced to $3,500,000. For this amount a new loan was recommended. The subsequent financial measures may be here mentioned in connexion.

The committee, in reporting as above, stated the amount necessary to be raised by loan, and adverted to the propriety of providing permanent revenues equal to the interest of the debt to be incurred, and to the gradual extinction of the principal; a policy which in their opinion ought invariably to be adhered to, as the only means of preventing an accumulation of debt. This they promised in a future report, having little doubt of being able to propose such measures as, without materially increasing the public burdens, would add to the revenues a sum sufficient to accomplish the object.

A report upon the additional revenues was made on the 30th of April, and recommended the sources from which the revenue was to be raised, as suggested by the Secretary of the Treasury.

The committee prefaced this document with some considerations on the present and future increase of permanent expenditure, compared with the probable amount of permanent revenue from existing taxes, which it is advisable to notice. When Congress, it was shown, in the

year 1798, were compelled, by the hostilities of France, to commence a system of defensive preparation, the ordinary expenditure of the government, including the interest of the public debt, the payments on account of the principal, and an adequate allowance for contingencies, was something short of $7,000,000. No increase of any consequence had been made in this expenditure since that time, except what was occasioned by the interest of the new debts, which the measures necessary for the defence of the country had forced Congress to contract. As these amounted to $5,000,000 at eight per cent., the increase on that account was $400,000.

The continuation of these measures for some time longer having rendered it necessary to contract a further debt of three and a half millions for the present year, that measure, if ultimately adopted and carried into effect on the same terms with the former, which might be necessary, would induce a further increase, by its interest, of $280,000 in the ordinary expenditure, making in the whole an increase of $680,000 for the interest of new loans. In the beginning of 1801, further additions would be requisite for the interest and extinguishing annuity of the deferred debt, and still subsequently for the payments on the foreign debt, until its contemplated extinction in 1809. The committee did not propose, however, an immediate provision for the last-named object, as before those periods arrived Congress would have a better view of the political and financial condition of the country than at that time; but the certainty of this future increase proved the necessity of immediate provision for that which had already occurred. For a similar reason, provision for the deferred debt was postponed to the next session, when the result of arrangements already entered into would be better known. It was only for the interest of the late and proposed loans, therefore, and for a sum equal to the reimbursement of the principal, that the committee desired

to provide. The interest, as already stated, would amount, at farthest, to $680,000, and an extinguishing annuity, or a sinking fund of two per cent. on the principal, would require $170,000 additional. This rate, which would reduce the principal in about twenty-four years, was recommended as similar to that adopted by the old funding bill in reference to the six per cent. stock, and was considered as sufficient to prevent a dangerous accumulation of indebtedness. As by the terms of the last loan, however, the annuity could not, for the present, be applied to the reimbursement of that particular debt, the committee proposed to employ it in the purchase of the public debt in general, by way of a sinking fund. Every consideration of sound policy was, at all events, in favour of raising it.

In the summer of 1798, the government had possessed a revenue of about $8,000,000, and the ordinary expenditure being less than seven millions, there was a balance in favour of the treasury of one million. Had the revenue been equally productive in 1799, there would have been no occasion for further provision at this time, as that balance would have been sufficient to cover the increase of additional expenditure. The duties on imports and tonnage had, however, owing to the depredations of the previous years, and to the increase of re-exportations, fallen off nearly a million; and, though the internal revenues had increased, the amount was insufficient for the increased demands. The diminution of import and tonnage duties was, in all probability, a temporary one; and in fact they had, during the first quarter of the present year, regained the original amount, but the committee, notwithstanding, conceived it indispensable to provide additional revenues to the amount of $850,000.

The ways and means recommended by Wolcott were an augmentation of duties on wines, the increase to 12 1-2 per cent. of those on articles which paid an *ad valorem* duty of 10 per cent., and a new arrangement re-

specting drawbacks on goods re-exported, the effect of which would be to impose a tax of from about 15 to about 18 per cent. on their whole amount. The two first were to be perpetual, the last to continue only as long as the war existed. The whole amount of revenue expected from these sources was estimated at $900,000. The propositions were severally considered at length, and, with a slight modification, reported to the House. Subsequently the loan of $3,500,000 was authorized, and the additional taxes imposed.

In accordance with the recommendations of the message, a committee was, towards the end of March, appointed "to examine the accounts of the United States relating to the public debt, and to report the amount respectively incurred and extinguished since the establishment of the present constitution of the United States." This committee, of which Mr. Griswold was chairman, reported on the 8th of May. The results of their investigation, and the principles upon which it was conducted, will now require a review, in order that a correct opinion may be deduced of the actual state and management of the treasury under the federal administrations.

The principal object contemplated by the House was to ascertain with precision how far the public debt had been increased or diminished since the establishment of the new government. For the better consideration of this question, the Secretary, at the request of the committee, furnished statements exhibiting all the important operations of the department, in relation to the debt, from that period down. From these documents, and a personal investigation of the department, the report, which in clearness and ability is exceeded by no document relating to our finances, was framed.

Wolcott's letter to the chairman, inclosing the statements, concluded with this observation:

"If the documents now transmitted should, in the opinion of the committee, require elucidation, their commands shall be executed with alacrity; it being certain that whatever opinions may be entertained respecting the increase or diminution of the public debt, in consequence of expenditures which have been authorized by the present government, there can be no difficulty in determining the true state of all the facts by which those opinions must be supported."

The only one of the statements which it is necessary to notice, is that giving the condition of the debt of the United States as it existed on the 1st January, 1800.

STATEMENT.

FOREIGN DEBT due at Amsterdam and Antwerp, including premiums,		$10,819,000 00
DOMESTIC DEBT, *exclusive* of the sums passed to the credit of the sinking fund, viz:		
Six per cent. stock,	$25,030,467 59	
Deferred stock,	13,682,944 17	
Three per cent. stock,	19,086,708 54	
Four and a half per cent. stock,	1,847,500 00	
Five and a half per cent. stock,	176,000 00	
Six per cent. stock of 1796,	80,000 00	
Six per cent. navy stock, issued,	109,200 00	
do. " to be issued,	820,000 00	
Eight per cent. stock of 1799,	5,000,000 00	
		65,832,820 30
Total amount of unredeemed capitals of foreign and domestic funded debt, January 1, 1800,		$76,651,820 30
TEMPORARY LOANS, viz:		
Loans obtained of the Bank of the United States in anticipation of the revenue at 5 per cent.,	1,400,000	
Loans obtained at 6 per cent.,	1,840,000	
Due on subscription loans for stock,	400,000	
	3,640,000	
Deduct 2,220 shares owned by the United States,	888,000	
		2,752,000 00
Debt of the United States January 1, 1800,		$79,403,820 30

"In ascertaining the amount of the old debt," said the committee, "two different principles had been taken by those who had made their calculations on the subject. The first had been to include only the interest upon the debt to the close of the year 1789, as the nearest convenient period, to the day when the government commenced its operations; and after deducting from the aggregate of debt, the amount of funds then in the power of the government, to consider the balance as the amount of old debt. The second principle had been, to take the amount of the old debt, *as the same had been liquidated and funded* by different acts of Congress, and after deducting therefrom the funds acquired, or possessed by the government at the close of the year 1790, to consider the balance as constituting the true amount of the old debt. The difference between these principles consisted in this: By the last mode of computation, the interest which accumulated upon the debt subsequent to the close of the year 1790, and until the debt was funded and provided for by law, was considered as part of the old debt; whereas, by the first mode of computation, that interest was totally excluded."

In consequence of the difference of opinion existing on this point, the debt was stated in both modes, that the results in both cases might be understood.

The nominal amount of debt under the first view, at the beginning of 1790, was - - - - -	$72,237,301 97
The funds in possesion of the government to be deducted, were - - - - - - -	931,742 33
Amount of debt January 1, 1790, - - -	$71,305,559 64
Under the second aspect, it appeared that the debt contracted by the late government, as the same had been liquidated and funded, was - - - - -	76,781,953 14
That the funds possessed by government on the 1st of January, 1791, and to be deducted, were - - -	2,596,356 32
True amount of debt January 1, 1791, - -	$74,185,596 82

The amount of debt exclusive of temporary loans, on the 1st of January, 1800, was - - - - -	$76,651,820 30
Temporary loans without deducting bank shares, -	3,640,000 00
Nominal amount of debt Jan. 1, 1800, - - -	$80,291,820 30

But from this nominal amount, the committee stated was to be deducted that of certain funds in possession of the government, which were applicable to its reduction. These consisted of,

Cash in the Treasury Jan. 1st, 1800, deducting therefrom the amount of unclaimed registered debt, and debt due to foreign officers, which were to be considered at all times as a charge on the specie balance in the Treasury, - - - - - - -	$2,061,683 49
Remittances to Holland, beyond the sum necessary to meet all demands to the close of the year 1799, -	548,955 84
Cash in the hands of collectors and supervisors, - -	532,247 81
Bonds uncollected at the custom houses, deducting interest for their unexpired terms, - - - - -	5,286,214 00
Bank stock, 2220 shares, at the market price of 25 per cent. advance, - - - - - -	1,110,000 00
Amounting together, to - - - -	10,079,101 14
Leaving the true amount of debt on the 1st of January 1800, according to this view, - - - -	$70,212,718 16

Being in fact, a reduction upon the original amount, upon either mode of considering it.

The causes of variance between the result obtained by the method of computation thus adopted by the committee, and that stated by Wolcott in his letter of the 22d of January, will at once be perceived. Wolcott, in obtaining his conclusion that the debt had increased by about one and a half millions, deducted from the whole amount of new debts contracted, the amounts of stock purchased and redeemed, the interest of which was vested in the trustees of the Sinking Fund, and the amount reimbursed on the 6 per cent. stock. The committee, on the other hand, by deducting from the amount of debt at each period the funds possessed at the respective dates

by the government, found in the balances an increase of assets beyond the increase of liabilities. The latter form presented rather a comparative view of the fiscal condition of the country at the commencement; and conclusion of the ten years which had now elapsed, since the existence of the government, than of the increase or diminution of the public debt proper. The view taken by Wolcott, on the other hand, exhibits simply the comparative amount of the technical debt at those periods, as separated from extraneous objects.

The report proceeded to vindicate the principles upon which these statements were founded. It was maintained that the debt, as liquidated and funded by the present government, was, after deducting the funds which existed prior to the time at which the funding system went into operation, to be considered as the true amount of debt with which that government had been charged by the Constitution. It was perfectly clear that no part of the national debt could with propriety, be considered as new debt, which was incurred prior to the complete establishment of the present government; it was equally certain, that the funded debt originated from the contracts of the late government, and although it was also true that the interest for a certain period after the present government commenced its operations, was suffered to accumulate, and now composed a part of the capital of the debt, yet it would be recollected that the government began without revenue, without any system of finance, or funds of any description to meet even the ordinary civil list expenditure; that every plan which was ultimately adopted for the purposes of revenue, was to be devised, matured, and finally carried into execution, before any money could be brought into the treasury; that from the nature of things, a considerable time must necessarily have elapsed, before the government could be considered as completely established, before any arrangements could be made, either

for liquidating the debt, or providing the means of discharging the interest arising thereon, and that during that period, the interest (as had been the case before the adoption of the Constitution) did necessarily accumulate. This accumulation, it was contended, was entirely chargeable to the imbecility of the late government, and of course ought to be considered as composing a part of the old debt.

It was likewise remarked that the sum which was lost by this accumulation of interest was more than replaced by the terms on which the debt was funded. The debt contracted by the late government generally bore an interest of six per cent., and the large arrearage which had accumulated thereon had been long due, and might have been demanded in cash by the creditors, but by the terms of the new contracts with them, that interest was converted into a capital, bearing an interest at three per cent., and the difference between the value of that stock and specie, had been gained by the government; so that in whatever point of view this subject was considered, it appears clearly in the opinion of the committee, that the old debt could not be considered as composing a sum less than that at which it had been funded.

The committee next referred to the principles on which they had deducted from the nominal amount of debt at the various periods stated, the amount of funds possessed by the government at these periods respectively. With regard to the majority of the items, there would, it was supposed, be no objection, but to the admission of debts due the government in the shape of custom-house bonds, there were many offered. Among other reasons given in support of their position, it was said that the temporary debt, which was included in the amount of debt stated, consisted of loans raised in advance of the payment of these bonds, and upon their security the bonds were there-

fore necessarily subjects of offset. The report concluded as follows:

"In reviewing the progress and existing situation of the debt, the committee have been led to consider the causes which have hitherto retarded its extinguishment. The deranged state, or rather total want of funds and revenue at the commencement of the government has been already noticed, and it cannot be necessary to add that the delays, which necessarily attend all financial operations at their outset, must have prevented the government for a considerable time from extending the revenue so far as convenience and policy might afterwards require; but the committee deem it important to add, that the extraordinary expense which has arisen within a few years has swallowed up large sums of the public wealth, and diverted the application of those moneys, which might otherwise have gone to the extinguishment of the debt, to other objects connected with the honour, and in some cases with the immediate existence of the government.

In this class of expense will be included a large sum occasioned by the Indian war; one million two hundred and fifty thousand dollars expended in quelling two insurrections in the State of Pennsylvania; more than a million and a half expended in our transactions with Algiers and other Mediterranean powers; together with a much larger expense, occasioned by the unprovoked aggressions of France upon this country. Had it been possible steadily to have applied those various sums to the purchase of debt, it is easy to conceive how rapidly the same might have been extinguished. The committee have likewise noticed the large sums which have been necessarily expended in the erection of lighthouses, repairing fortifications, in purchases for replenishing our military and naval arsenals, and in the building, purchase, and equipment of more than forty sail of ships and armed vessels, together with a considerable loan of money to the commissioners of the city of Washington. The value of this property might be considered as composing an item in the credit of the general account of debt, but the committee have not thought it necessary to include it, and have noticed it particularly at this time for the purpose of exhibiting a more general view of the extraordinary expense incurred by the government, and for the purpose of presenting all that information in relation to the debt, which will enable the House accurately to appreciate the great and increasing resources of the country; and on this point the committee cannot forbear to remark that the progress of the government in its financial operations must afford the most flattering presages of its future success, if the same system is pursued which has hitherto proved so successful. It cannot certainly be unworthy of remark, that ten years have not at this time elapsed since the government fairly commenced its operations; that during that period it has been necessary to liquidate, to fund, and to provide for a large capital of floating debt which had grown out of the disorders of the confederation; that during the same short period, the government has been compelled to contend with one expensive war on the frontier, with two insurrections in the centre of our own country, and with depredation and hostility from the nations of Europe; that these embarrassments have nevertheless been

faced by the government; most of the difficulties have been surmounted; the debt has been liquidated and diminished; and the nation has still continued to increase in wealth and population beyond all former example; and although the contest in which we are now engaged, may for a short period retard the further extinguishment of debt, or perhaps produce a small addition to that which already exists, yet it cannot be doubted that whilst we maintain order at home, no exterior circumstances can exhaust or greatly diminish the increasing resources of the nation."

Owing to the late period at which the report was communicated, no definite action was taken upon it by the House. It was shortly after severely attacked in a subtle and ingenious pamphlet by Mr. Gallatin.[a] His objections it is not considered necessary here to review, as the abstract given of the report sufficiently explains the reasoning of the committee, and as the concluding notice of the management of the treasury will necessarily involve a glance at the arguments of the opposition.

During the session, one event occurred, notable for the temporary importance which it received, and illustrative of the temper and tone of the anti-federal party. It was the affair of Thomas Nash, otherwise called Jonathan Robbins. In May, 1799, Mr. Liston, the British Minister, had addressed the Secretary of State, requesting the delivery, pursuant to the treaty of London, of a seaman named Nash, who was charged with piracy and murder on board a British national vessel, and an order was thereupon sent to the District Judge of South Carolina directing his delivery, provided such evidence of his criminality should be produced, as by the laws of the United States or of South Carolina would justify his apprehension and commitment for trial, if the offence had been committed within the jurisdiction of the United States. This was done, and the man afterwards tried and convicted by a court-martial and executed accordingly. Nash, for the purpose of escaping, had previously sworn to his being

[a] "Views of the Public Debt, Receipts, and Expenditures of the United States," by Albert Gallatin." 8vo. New York, 1800.

an American, from Danbury in Connecticut, and that his name was Robbins. On this, an outcry was raised by the anti-federalists, and on the 4th of February a motion of inquiry was made in the House by Mr. Livingston for the papers relative to his delivery. These were furnished on the 7th, and it was conclusively shown by the certificate of the selectmen and clerk of Danbury, previously obtained, that no person of that name had ever resided there, or been known to any of the inhabitants. It further appeared from a letter of Admiral Sir Hyde Parker to Mr. Liston, that the man before his execution had confessed himself to be an Irishman. Finding that no capital could probably be made out of the citizenship of this individual, the motion was extended on the 20th, so as to declare that the discretion exercised by the Executive, belonged properly to the judiciary, that his decision had been a dangerous interference with that power, and that the compliance of the judge was a sacrifice of its constitutional independence. These resolutions of censure were vehemently debated for some days; Mr. Livingston, Mr. Gallatin, and Mr. Nicholas supporting them; Messrs. Bayard, Harper, Otis, and Dana, defending the conduct of the President. On the 6th of March, Gen. Marshall delivered that elaborate speech, which, in the words of Mr. Justice Story, "silenced opposition, and settled then and forever the points of national law upon which the controversy hinged."[a] The motion was negatived by a decided majority.

Congress adjourned on the 14th of May. Its feeling may be gathered from a letter of Mr. Jefferson to Mr. Madison, allowance being duly made for the coloring of his own political sentiments: "On the whole," he says, "the federalists have not been able to carry a single strong measure in the lower House the whole session. When

[a] Story's Discourse on Chief Justice Marshall, and see also, Sullivan's Familiar Letters, 2d ed., pp. 104–105.

they met, it was believed they had a majority of twenty, but many of them were new and moderate men, and soon saw the true character of the party to which they had been well disposed at a distance." "The Senate alone remained undismayed to the last. Firm to their purposes, regardless of public opinion, and more disposed to coerce than court it, not a man of their majority gave way in the least."[a]

All honor to that Senate!

A number of important laws were passed during the session which require a passing notice. Longer pursuance of the system of active defence was necessarily abandoned in consequence of the mission; the act already referred to, suspending further enlistments under the law for augmenting the army, had moreover passed in the middle of February. Towards the end of the session a supplementary act authorized the discharge of the officers and men already enlisted, with some exceptions, including the staff. The military appropriation for the year was reduced to $3,000,000, and that for the navy to $2,500,000. Bills, however, passed, further suspending commercial intercourse with France and its dependencies, and continuing in force the act authorizing the defence of American merchant vessels against French depredations. The law prohibiting citizens of the United States from hostile acts by land or sea against neutral nations, or accepting commissions from foreign governments for the purpose, was renewed. Provision was made for the better government of the navy, and for the regulation of the public arsenals and magazines. In relation to the treasury, besides those authorizing the loan of $3,500,000, laying additional duties on certain imported goods, already referred to, and the usual appropriation bills, several other measures were adopted. The act providing for the valuation of lands and dwell-

[a] Jefferson's Writings, III. 436.

ings, and the enumeration of slaves was amended; a general stamp-office was established, the Secretary of the Treasury was required by law to prepare and lay before Congress, at the commencement of every session, a report on the subject of finance and laws regarding the powers and salaries of revenue officers, and other matters of detail, passed.

Among those of a civil nature, were the acts for the relief of persons imprisoned for debt in the federal courts, and for establishing a uniform system of bankruptcy. In regard to internal government, were those providing for the second census of the United States, which was directed to take place on the first Monday in August, 1800: that for the preservation of peace with the Indian tribes, rendering punishable attempts to seduce them into acts of hostility against the United States; the act making provision for the removal and accommodation of the government of the United States, by which the President was empowered, whenever he should judge proper, to remove the public offices to Washington. The long disputed question of the title to the lands known as the western reserve of Connecticut, was at length quieted. The President was authorized to accept a cession of the lands from that state, and in return to grant patents for the use of persons holding under the same. The territory northwest of the Ohio was divided into two separate governments, the westernmost constituting the territory of Indiana, and material amendments were made to the act providing for the sale of the public lands. An act was passed supplementary to that of 1798, for an amicable settlement of limits with the State of Georgia, and authorizing the establishment of a government in the Mississippi territory.

These last were especially important, many difficulties and some serious grievances having arisen from the previous condition of these frontier countries, over which

population was now beginning rapidly to extend itself. Col. Pickering, Wolcott, and Samuel Sitgreaves of Pennsylvania, were in the first place commissioners on the part of the United States, and subsequently Mr. Lee in place of Col. Pickering. Abraham Baldwin, James Jones, and Benjamin Taliaferro, were the Georgia commissioners.

In the beginning of February, in this year, Mr. Liston had renewed a former proposal for the reciprocal restitution of deserters. The project submitted by him, did not, however, provide against the impressment of American seamen. The subject underwent discussion in the Cabinet, and a counter-project was submitted by the Secretary of State. The following was also prepared by Wolcott. It differed from Col. Pickering's only in the 4th article, which was not deemed sufficiently distinct in his draught. The other members expressed their assent to it; but the negotiation fell through by Mr. Liston's unwillingness to admit the provision:

TO THE PRESIDENT.

TREASURY DEPARTMENT, April 14, 1800.

The Secretary of the Treasury respectfully submits the following observations, in obedience to the direction of the President of the United States:

The project of a treaty proposed by the minister of his Britannic Majesty, for the reciprocal delivery of deserters from the land and naval service, does not sufficiently provide against the impressment of American seamen, and is therefore deemed inadmissible. The ideas of the Secretary of the Treasury on this subject are stated in the counter-project, hereto subjoined, and will be found to be essentially the same as those of the Secretary of State.

The Secretary of the Treasury fully concurs in opinion with the Secretary of State, respecting the reply proper to be given to the notes of Mr. Liston, dated the 2d and 4th of February last, demanding the restitution of several American vessels, captured by British cruisers, and rescued by the crews of said vessels.

All which is respectfully submitted, &c.

"Additional articles proposed to be added to the treaty of amity, commerce, and navigation, concluded at London on the 19th day of November, 1794, and to form a part of said treaty.

1st. It is agreed that no refuge or protection shall be afforded to the officers,

mariners, or other persons, being part of the crews of the vessels of the respective nations, who shall hereafter desert from the same; but that on the contrary, all such deserters shall be delivered up on demand, to the commanders of the vessels from which they shall have deserted, or to the commanding officers of the ships of war of the respective nations, or such other persons as may be duly authorized to make requisition in that behalf; provided that proof be made *within two years after the time of desertion*, by an exhibition of the shipping paper, or contract, or authenticated copies thereof, or by other satisfactory evidence that the deserters so demanded were actually part of the crews of the vessels in question.

2d. With a view to the more effectual execution of the foregoing article, the Commanders of the vessels from which such desertions shall take place, and the Consuls and Vice-Consuls of his Britannic Majesty, and the United States respectively, may cause to be arrested all persons who shall desert from the vessels of the respective nations as aforesaid; and for this purpose the said Commanders, Consuls, and Vice-Consuls shall apply to the courts, judges, and officers competent, and shall demand the said deserters in writing, and adduce proof of their desertion as aforesaid; and on such demand and satisfactory proof as aforesaid, the delivery shall be made. And there shall be given all aid and assistance to the said Consuls and Vice-Consuls, for the search, seizure, and arrest of the said deserters, who, if it be requested, shall be kept and detained in the prisons of the country, at the expense of those who demand them as aforesaid, until they can be put on board their own or other vessels of their nation, or be otherwise sent back to their own country. Provided, that if this be not done within three months from the day of their arrest, such deserters shall be set at liberty, and not be again arrested for the same cause.

3d. It is further agreed that no refuge or protection shall be afforded by either of the contracting parties to any person who shall hereafter desert from the military land service of the other; but that on the contrary, the most effectual measures shall be taken, in like manner, and on like conditions, as with respect to sailors, to apprehend any such deserters from the land service and to deliver them to the commanding officers of the military posts, ports, or garrisons from which they shall have deserted, or to the Consuls, Vice-Consuls, on either side, or to such other persons as may be duly authorized to demand their restitution.

4th. It is however understood, that nothing in the foregoing stipulations shall be construed to empower the civil, or any other officers of either party, forcibly to enter the ports, posts, or any other place within or under the jurisdiction of the other party; nor to empower the naval commanders or other officers of either party, forcibly to enter any public or private vessel of the other party, on the high seas, with a view to compel the delivery of any person whatever; on the contrary, it is expressly declared to be the understanding of the contracting parties, that the mutual restitutions of persons claimed as deserters shall only be made by the free and voluntary consent of the military officers employed in the land service, or the commanders of the public or private ships or vessels of the two parties; or in pursuance of the decisions of the courts, judges, or other competent civil officers of the two nations, in all cases arising within their respective jurisdiction."

What action, if any, was taken on the following, is not known.

THE PRESIDENT TO THE HEADS OF DEPARTMENTS.

PHILADELPHIA, April 23d, 1800.

Gentlemen,

The President of the United States proposes to the consideration of the heads of Departments, a subject, which, although at first view it may appear of inconsiderable moment, will, upon more mature reflection, be found of some difficulty, but of great importance to the honour, dignity, and consistency of the government.

In every government of Europe, I believe there is a Gazette in the service of the government, and a printer appointed, acknowledged, and avowed by it—in every regular government at least. The Gazette of France, before the revolution, answered the same purpose with the London Gazette in England. Mr. Strahan is appointed the King's printer by patent, and is the editor of the London Gazette. This Gazette is said by lawyers and judges to be prima facie evidence in courts of justice, of matters of State, and of public acts of the government. As it is published by authority of the crown, it is the usual way of notifying such acts to the public, and therefore is entitled to credit in respect to such matters. It is a high misdemeanor to publish any thing as from royal authority which is not so. The Gazette is evidence of the King's proclamation; even the articles of war, printed by the King's printer, are good evidence of those articles. Addresses of the subjects, in bodies or otherwise, to the King, and his answers, are considered as matters of state, when published in the Gazette, and are proved by it prima facie in the King's court, in Westminster Hall. The Gazette is said to be an authentic means of proving all acts relating to the King and the State. Justice Buller asserts that every thing which relates to the King, as King of Great Britain, &c., is in its nature public, and that a Gazette which contains any thing done by His Majesty in his character of King, or which has passed through His Majesty's hands, is admissible evidence in a court of law to prove such thing.

Without running a parallel between the President of the United States and the King of England, it is certain that the honour, dignity, and consistency of government, is of as much importance to the people in one case as the other.

The President must issue proclamations, articles of war, articles of the navy, and must make appointments in the army, navy, revenue, and other branches of public service, and these ought all to be announced by authority in some acknowledged Gazette. The laws ought to be published in the same. It is certain that a President's printer must be restrained from publishing libels and all paragraphs offensive to individuals, public bodies, or foreign nations, but need not be forbid advertisements. The Gazette need not appear more than once or twice a week. Many other considerations will occur to the minds of the Secretaries. The President requests their opinion,

1st. Whether a printer can be appointed by the President either with or without the advice and consent of the Senate?

2d. Whether a printer can be obtained without salary or fees, for profits which might be made by such a Gazette?

3d. Where shall we find such a printer?

It is certain that the present desultory manner of printing the laws, acts of the President, and proceedings of the Executive departments, is infinitely disgraceful to the government—in all events must be altered.

JOHN ADAMS.

CHAPTER VI.

SUMMER OF 1800.

The period long hoped for by the anti-federalists, had now arrived, when the differences between the President and a large division of his party should be widened into an irreparable breach. The first overt act was the forced resignation of one, and the sudden dismission of another of the cabinet. The circumstances attending these events need explanation, as bearing upon the rest of Mr. Adams' political course.

The first removal was that of Mr. McHenry. Its immediate cause, as well as the more remote, will be found in the following letter from that gentleman.

JAMES McHENRY TO JOHN McHENRY.[a]

PHILADELPHIA, 20th May, 1800.

Dear Nephew,

You will, no doubt, be somewhat surprised to hear that I resigned the office of Secretary of War—the resignation to take effect on the 1st of June—on the 6th instant, and may feel perhaps a momentary regret at my leaving the administration, before you had closed your political career. I will mention to you some general circumstances inducing to the event, reserving a more particular detail till I may have the pleasure of seeing you.

It is now reduced to a certainty that the anti-federal ticket has prevailed in the State of New York, by a small majority. You will add to this the influence which some of the characters, chosen in the State Legislature, (the members of which elect the electors of the President and Vice President), must enjoy in a

[a] Secretary to the Hon. Wm. V. Murray, Minister Resident at the Hague.

popular assembly over inferior abilities, and men without the opportunity to be rightly informed, or penetration to know when they are so.

It is also a problem, what kind, if any, compromise, will take place between the two parties in this State, on the subject of an election law; and if a law is agreed to, for whom the federalists, should any be chosen, will vote upon the occasion. The disgust which had been growing against Mr. Adams, has been greatly augmented among the federalists by some late events.

The eastern members will return home, generally speaking, more indisposed to, than desirous of the election of Mr. Adams. The same thing, in a higher degree, may be said of the federal members from South Carolina.

Upon the whole, the temper of the moment, and the chances are apparently decisive against Mr. Adams.

Do not believe, however, that any knowledge or anticipation of these dispositions or events, had the least weight in influencing to my resignation. Quite otherwise, I assure you, as respects myself. I had, with the privity of the President, taken a house in Georgetown a few weeks previous to the event, and made arrangements for the removal of my family thither.

We have had, for some time past, a disjointed Cabinet, as the Aurora expresses it; in other words, Mr. Wolcott, Mr. Pickering, and myself, were decidedly of opinion that the mission to France might have been happily dispensed with. We thought the situation in which the country then was, the most desirable in which it could be placed, or kept, during the existence of the war in Europe, or between England and France; and that the kind of war we waged with France, gave us nothing to fear from her, effectually shut out French principles, was calculated to ensure the continuance of a growing and lucrative commerce, and preserve the friendship of England. The President disregarding these considerations, from a different view of the subject, or looking only to his own election, and measuring the operation of the mission upon it, could be well with nobody who did not think well of the mission.

Upon *second thought*, Mr. Stoddert and Mr. Lee thought as he did. From that moment, I began to perceive a new set of principles were to be introduced, and that the acts of administration were, as far as practicable, to be made subservient to electioneering purposes. Every day increased his alarm on this subject, and distrust of those gentlemen near him, who did not constantly feed him with news or hopes, flattering to his election. At times, he would speak in such a manner of certain men and things, as to persuade one that he was actually insane. For my own part, I had never taken a single step to depreciate his character, or prevent his election, or expressed any public disapprobation of the mission.

In this temper of mind, and while the issue of the election in New York was dreaded, which every one said was to be decisive of his election, the federal members of Congress held a caucus, as it is called, in which, with very few exceptions, it was determined, that each member in his State, would use his best endeavours to have Mr. Adams and Major General Charles Cotesworth Pinckney run for President, without giving one a preference to the other.

This arrangement, as you will conceive, increased his apprehensions to their height. It could not strike his, or the public mind, otherwise, than as an abandonment of his interest.

He requested to see me on the 5th instant. The business appeared to relate to the appointment of a Purveyor, and to disembarrass himself of any engagement on that head. This settled, he took up other subjects, became indecorous, and at times, outrageous. General Washington had saddled him with three Secretaries, Wolcott, Pickering, and myself. I had not appointed a gentleman in North Carolina, the only elector who had given him a vote in that State, a captain in the army, and afterwards had him appointed a lieutenant, which he refused. I had biased General Washington to place Hamilton in his list of Major Generals, before Knox. I HAD EULOGIZED GENERAL WASHINGTON, IN MY REPORT TO CONGRESS, and had attempted in the same report, to praise Hamilton. In short, there was no bounds to his jealousy. I had done nothing right. I had advised a suspension of the mission. Every body blamed me for my official conduct, and I must resign. I resigned the next morning. Mr. Pickering was thrown out a few days after. Mr. Wolcott is retained for a while, only because he [Mr. Adams] is afraid of derangements in the affairs of the Treasury. And I predict, should he be elected, (which I think cannot happen) Stoddert and Lee will be dismissed, the moment he is persuaded the measure will strengthen him in his seat, or answer a present, or temporary purpose.

Mr. Marshall was appointed to succeed me, but declined the office. He has since been appointed to the office of Secretary of State, and Mr. Dexter to that of War. I incline to think that Mr. Marshall will decline this office also, and that the office of State may be accepted of by Mr. Dexter.

I enclose you a newspaper of this morning, containing a letter from Mr. Harper, some parts of which, have relation to the subject of this letter.

Let me entreat you to pursue with unremitted attention, your legal studies. You must rely upon the law, not only as a profession, but if you are desirous of assisting your country at any crisis, or at any time, upon its being the best ladder to public notice or official station. I expect to have my family fixed in Baltimore next month, and after paying some attention to my private concerns, which have greatly suffered by above four years total neglect of them, to embrace my old employments—reading, and rural occupations.

I request to be respectfully presented to Judge Ellsworth, Governor Davie, and my dear friend Mr. Murray, who regards you with affection, and whom you cannot too much esteem and respect. Farewell, my dear nephew, and may you continue to deserve my love and affection, which you fully possess.

JAMES McHENRY.

Upon the 12th of the same month, Col. Pickering was with as little ceremony removed from the office of State. He was at first desired to tender his resignation. This he properly refused, and notice was given him that his services were no longer required.

Mr. Adams in his Cunningham letters,[a] terms this "one

[a] Letter XII.

of the most deliberate, virtuous, and disinterested actions of his life," and in reply to the solicitous questioning of his correspondent, pretends to assign various reasons accordingly which had induced it. Of these, such as are not merely obscure insinuations or simple abuse, deserve a brief notice. This class, however, is limited. Though plenty as blackberries, Mr. Adams will not give them on compulsion. "Reasons of state," he says, "are not always to be submitted to newspaper discussion. It is sufficient for me to say that I had reasons enough not only to satisfy me, but to make it my indispensable duty. Reasons which, upon the coolest deliberations, I still approve."

Some few, notwithstanding, are vouchsafed. "In consequence of Mr. Pickering's removal," he says, "I was enabled to negotiate and complete a peace with France, and an amicable settlement with England. This is reason enough." It unquestionably would have been had it been true. But the mission to France had left six months before, and Col. Pickering, though opposed to its departure, had neither the disposition nor the power to prevent its success. As to a settlement with England, Mr. Adams did not conclude any, Mr. Pickering's removal to the contrary notwithstanding. Again. "Suppose I should tell you that the studies of his early youth, and of his riper years, had not been competent to the profound investigations which his office required. We had discussions of great importance with France, England, and Spain, especially the two former, involving questions respecting neutral rights, respecting British and tory claims of anti-revolutionary debts. I could get nothing done as I would have it. My new minister, Marshall, did all to my entire satisfaction." The fault of incompetency is doubtless a grave one in a Secretary of State, but how true was it? Col. Pickering had not, indeed, the eloquent pen of Hamilton; he had not the rare logic of Marshall, but he pos-

sessed abilities of no mean order, and his State papers, in the judgment of an impartial reader, would not reflect discredit on any of the distinguished men who have occupied his department. He had held the office of Secretary since the autumn of 1795, during a period in which far more important foreign discussions existed than at the time of his dismissal, with high reputation to himself, to the perfect content of Washington, and (excepting that he abused Mr. Gerry,) so far as the performance of his official functions was concerned, even with satisfaction to Mr. Adams. Gen. Marshall himself had spoken in high praise of that document which had given such offence to his chief. Finally, let it be remembered that the discussions with France had been committed to the ambassadors, and, without any derogation from Marshall's abilities, that no result followed from those with Spain or with England, growing out of his direction of them, and the truth of this charge will be appreciated. With regard to Gen. Marshall's doing every thing to his entire satisfaction, Mr. Adams' simplicity is amusing enough. Every one who knew that great man, knew that he possessed to an extraordinary degree the faculty of putting his own ideas into the minds of others, unconsciously to them. The secret of Mr. Adams' satisfaction was, that he had obeyed his Secretary of State without suspecting it.

Further, Mr. Adams says of Col. Pickering, "His intrigues with Senators in opposition to me, and to measures I had adopted, and nominations I had made, led the Senate into violations of the Constitution, particularly in the nominations of Mr. Murray, Mr. Gerry, and Col. Smith."[a] The absurdity of this accusation almost renders an answer needless. How the Senate violated the Constitution in regard to Mr. Gerry's nomination, cannot

[a] To Cunningham, Letter XIV. For the facts as to these appointments, see Pickering's Review, Sections III. and IV.

be imagined, unless by confirming it against their judgments. In regard to Mr. Adams' son-in-law, Col. Smith, they did indeed exercise their power in withholding their consent, and their reason has been stated. In performing their duty, however, in that behalf, the Senate, with a degree of delicacy worthy of them, postponed their decision until some of Mr. Adams' friends had in vain persuaded him to withdraw it. But without this ceremony, the rejection of a nomination should hardly have been termed a violation of the Constitution, even by an angry relative. And what an egregious jealousy of power was it that magnified a request by a committee of Senators in Mr. Murray's case, to substitute a commission for a single envoy, into such another grave offence. In the next place, Mr. Adams states that "in every step of the progress of the negotiations with France, he opposed, obstructed, and embarrassed to the utmost of his power, and in some instances with the secret aid of Hamilton, as I suppose, had the art to get all the other four of the ministers to join him." The progress of the negotiations with France have heretofore been followed through all its steps, and from the narrative given, it may be judged what was the nature of Col. Pickering's opposition. It was the manly and open course of a minister who believed the measures adopted to be injurious to the State. What the arts brought to bear on the other Secretaries were, may be imagined from their conduct. But all these things were of old date. Had there been cause for a change at all, there were so at the time when the offences were alleged to have been committed, when that change would have remedied the evil. No new or recent cause had been given or was attributed. Where, then, is the explanation to be sought? It is apprehended that a connexion of circumstances will furnish one. The dismission of the ministers, says Mr. Hamilton, "happened at a peculiar juncture, immediately after the unfavorable turn of the

election in New York, and had much the air of an explosion of combustible materials which had been long prepared, but which had been kept down by prudential calculations respecting the effect of an explosion upon the friends of those ministers in the State of New York. Perhaps when it was supposed that nothing could be lost in this quarter, and that something might be gained elsewhere by an atoning sacrifice of those ministers, especially Mr. Pickering, who had been for some time particularly odious to the opposition party, it was determined to proceed to extremities."[a]

The conjecture thus hazarded, afterwards received corroboration, which, if not amounting to positive proof, at any rate had "a plausible appearance of probability."[b]

It was known that Col. Pickering's approaching removal had been spoken of in democratic circles before it was suspected by any federalist, and this information was subsequently traced by him to several distinguished members of the party, among others to Mr. Robert Smith, afterwards Secretary of the Navy under Mr. Jefferson. That gentleman, it was ascertained, had also openly stated, in May, 1800, that his party had been previously approached to know on what terms they would support Mr. Adams at the next presidential election; that in their answer, among other conditions, was the dismissal of Col. Pickering from the office of State, but that this had been delayed until he had lost all hopes of his election by the strength of his own party, and that then they did not thank him for it. It was further shown to have been mentioned by Mr. Dennis, of Maryland, at the conclusion of the session of 1798–99, that a committee of three had, during the winter, waited upon Mr. Adams, and told him that if he would institute a mission to make peace with France, and dismiss Mr. McHenry and Mr. Pickering, they would not

[a] Hamilton's Letter, p. 37. [b] Pickering's Review, Section III.

oppose—or they would support his reëlection to the presidency. Information of the same kind was traced to other members of Congress of that party. Mr. Grosvenor, of New York, stated that Mr. John Nicholas, of Virginia, had told the whole story to Judge William P. Van Ness, and had laughed at Mr. Adams' credulity. No one could have less right to claim exemption from reproach, founded even on insufficient proof, than he, whose baseless and scandalous imputations on all not subservient to his private views, afforded the strongest colour for the attacks of a common enemy. Of the weight to be attached to the evidence on which they rest, different opinions may be entertained. That they were credited by Col. Pickering, who published them under his own name, is unquestionable. As charges, therefore, they are at any rate matter of history. It has been shown, in treating of the mission of 1799, that they were not without collateral circumstances which justified his belief in their truth.

But aside from the imputation of direct bargaining with the opposition for the sacrifice of these ministers, it is apparent that the expected influence of the measure upon that party might very readily have had weight with the President. No offering could indeed have been more acceptable, as both were unpopular to a degree, with the anti-federalists, and Pickering especially was hated with a bitterness little less than that cherished towards Hamilton. The whole course of Mr. Adams, indeed, at this time seems to have been shaped, where it indicated any purpose at all, with a view of gaining from them what he was losing by the alienation of Hamilton's friends. His animosity towards these had become uncontrollable from their discontent at the policy by which he had hoped to secure his own reëlection, and his fears that they would throw their weight in the scale of another. As to this, let Mr. Jefferson speak. That gentleman, in after years,

thought fit to renew his deceitful advances towards Mr. Adams, and seems again to have blinded him, though he was less successful with his wife. In a letter dated June 15, 1813, he thus brings up the dismissal of the Secretaries:

"In truth, my dear sir, we were far from considering you as the author of all the measures we blamed. They were placed under the protection of your name, but we were satisfied they wanted much of your approbation. We ascribed them to the real authors, the Pickerings, the Wolcotts, the Tracys, the Sedgwicks, *et id genus omne* with whom we supposed you in a state of *duresse*. I well remember a conversation with you in the morning of the day on which you nominated to the Senate a substitute for Pickering, in which you expressed a just impatience under the 'LEGACY OF SECRETARIES WHICH GENERAL WASHINGTON HAD LEFT YOU,' and whom you seemed therefore to consider as under public protection. Many other incidents showed how differently you would have acted with less impassioned advisers; and subsequent events have proved that your minds were not together."[a]

The connexion between the origin of the mission and his frantic jealousy of Hamilton has already been traced; the same relation existed as to the dismission of the ministers. His abuse of Mr. McHenry for *attempting* to eulogize the Inspector-General, in his report to Congress—his declaration to Cunningham that Pickering "was so devoted an idolater of Hamilton that he could not judge impartially of the sentiments and opinions of the President of the United States,"[b] sufficiently manifest this, without repeating the numberless other passages in which he has associated the ideas. Although a coolness had for a long time existed between the President and those gentlemen, growing out of their different opinions on the mission, and different sentiments towards Mr. Hamilton, to have dismissed either of them at an earlier period would have been hazarding too much. It was now supposed that nothing could thereby be lost, something possibly gained. The federal members of Congress had declared in favour

[a] Jefferson's Writings, IV. 192. [b] Letter XII.

of voting equally for General Pinckney and himself, the effect of which would be to increase the chances of Pinckney's election over him, as well as the general success of the ticket over their opponents. Three members of the cabinet at least were supposed to prefer the former. The probabilities of a victory by the mere strength of the party, had, owing to the dissentions introduced by himself, but by him ascribed to the factiousness of the Hamiltonians, diminished materially. The result of the election in New York[a] seemed decisive, unless some re-action could be produced in his favour. And how was this to be created?

It will already have been seen, from the preceding pages, that the President had been induced to believe that Mr. Jefferson was not unfriendly to himself, that he even preferred the second place in the government to the first. Mr. Adams had, at the instigation of the anti-federalists, adopted one most important measure. There were yet other modes of conciliating them, and by following these he could, as he supposed, still count on the support of the body of the federalists, while the leaders would, if possible, at any rate, endeavour to elevate Pinckney in his stead. Such was the plan of Mr. Adams' campaign, such the motive for dismissing the secretaries. Unfortunately for its success, he forgot that the object of a party is the maintainance of its peculiar views, not the support of an individual; and above all, that a time-server between two parties loses the confidence of both. As a proof of the extent to which Mr. Adams, at this time, carried the fear of Hamilton, it may be mentioned that in the conversation with Mr. McMurray he actually charged Hamilton with having contributed to the loss of the election in New York out of ill will towards him![b] With such a preposterous suspicion in his mind, it is no wonder that

[a] The spring election of 1800, in which the loss of the city of New York carried with it the loss of the legislature.

[b] Hamilton's Letter, p. 40.

he wreaked his vengeance on Hamilton's friends. It is only to be wondered that Wolcott did not share the fate of his colleagues.

In thus reviewing the circumstances attending the dismission of Mr. McHenry and Col. Pickering, it is by no means intended to intimate that the President did not possess the absolute right to change his cabinet at his own discretion. Justice and good policy undoubtedly require that a high officer should not be dismissed on light grounds; but a material difference of opinion on subjects of general policy, a want of mutual confidence, or even of friendly sentiments, are, as is conceived, reasons sufficient, under ordinary circumstances, to justify such a change. It was, perhaps, on the present occasion, even expedient that one should be made. But the errors of Mr. Adams were, first, in the manner in which it actually was made, and, secondly, in the uncandid and incorrect motives which he assigned for it. That an estrangement had taken place between him and several of the secretaries was true, not less so that it arose chiefly from his own faults of temper and disposition.

Setting aside their disagreements on points of policy, Mr. Adams had, as we have seen, shown from the outset of his administration a total want of frankness in his treatment of them. Accustomed to leave the seat of government immediately after the adjournment of Congress, and spending the whole recess at his own home, at a considerable distance, even when weighty and pressing matters of state demanded his attention; the conduct of affairs was either left entirely to his ministers, or was hampered and deranged by the time requisite to transmit communications, and the necessarily limited interchange of explanations. Surrounded as he was, at his residence in Braintree, by a clique of private admirers, exposed by his facility of character to the effects of flattery or of intrigue, haunted by jealousy that never slept, and suspicions that,

once aroused, could not be eradicated; this absence for so long a period of the year was no less detrimental to a good understanding with his ministers than it was to method and order in the conduct of business. The paroxysm of rage to which he was subject, and during which, his conduct, both to cabinet officers and to distinguished members of Congress, was sometimes most outrageous,[a] were not calculated to do away with the feelings engendered by his own want of frankness and confidence. But beyond these, the offspring of natural infirmities, his course in regard to several of the most important transactions of his whole administration, undertaken not merely in opposition to their opinions, but without the courtesy of requesting them, without hearing the reasons by which they might even be supported, sufficiently accounts for want of coöperation and manifestions of coolness, without presupposing blame on their part. As to the mode of their dismissal, accompanied by rudeness and personal indignity, it admits of no excuse, no palliation, but in the possession, by Mr. Adams, of passions incapable of control, or on the ground of improprieties on their part, which it cannot be pretended they had committed. In regard to the Secretary of War, better evidence could not be brought forward of the injustice of such treatment, than Mr. Adams' own declarations concerning him, mentioned in Wolcott's letter to that gentleman of August 26th.[b] Of Mr. McHenry's character General Hamilton bears the following honorable testimony on his part:

"Ill treatment of Mr. McHenry cannot fail to awaken the sympathy of every person well acquainted with him. Sensible, judicious, well informed, of an integrity never questioned, of a temper which though firm in the support of principles, has too much moderation and amenity to offend by the manner of doing it, I dare pronounce that he never gave Mr. Adams cause to treat him, as he did, with unkindness. If Mr. Adams thought that his execution of his office indicated a want of the peculiar qualifications required for it, he might have said

[a] Hamilton's Letter, p. 38. [b] See *infra*.

so with gentleness, and he would have only exercised a prerogative entrusted to him by the constitution, to which no blame could have attached; but it was unjustifiable to aggravate the deprivation of office by humilating censures and bitter reproaches."

Mr. McHenry's abilities and merits have, it is fully believed, been greatly underrated. No man without transcending the limits of lawful authority, could during his time have more successfully managed his office under the disadvantages with which he labored. His personal character was not only without reproach, but was worthy of all admiration. No public man of his day, possessed more implicitly, the confidence and affection of his friends than he did. How Washington esteemed him his letters sufficiently show.

The consequences of the transactions were most important. By the friends of Col. Hamilton, and of the two ministers, and generally by all those who coincided with them in opinion upon the principal acts of the administration, it could hardly be viewed in any other light than as a declaration of war. Its effects upon the approaching Presidential election will be examined in narrating the events of the summer. The change in the cabinet was so immediately followed by the disbanding of the army, that the measure could not but be considered as having also its connexion with political events. No intelligence had yet arrived of any progress in the negotiation with France, the necessity therefore for its continuance, was certainly as great as when in the preceding spring, Mr. Adams of his own motion appointed the provisional officers. Occurring as the step did at this moment, it was at once understood as levelled at Hamilton, who was thus deprived of his command, though not of his rank.

The post of Secretary of War was, after Mr. McHenry's resignation, offered to Gen. Marshall, but on the removal of Col. Pickering, he was instead appointed to the De-

partment of State, and Mr. Dexter accepted that of war.[a] It should be mentioned, to the honor of all the gentlemen interested in these changes, that their personal harmony and friendship was never interrupted by them. Between Marshall and Pickering especially, the most cordial good feeling ever subsisted.[b]

The reasons given by Mr. Adams for Mr. Pickering's removal have been examined. There is no pretence even there of any malversation in office, but at the time the anti-federal newspapers busied themselves in hunting up charges derogatory to his reputation. Extracts from accounts in the department, obtained through some unfaithful clerk, were so garbled and distorted as to present a semblance of default. The falsehoods thus circulated were promptly met by Wolcott in the following notice.

NOTICE TO THE PUBLIC.

TREASURY DEPARTMENT, June 23d, 1800.

I am impelled by considerations of justice and personal attachment to Col. Pickering, to declare that the recent publications in the Aurora, respecting his pecuniary transactions while Secretary of State, are unfounded.

The accounts of the department while it was conducted by Col. Pickering, have been exhibited at the treasury, and it is expected that they will be finally settled soon after the offices are opened at Washington. It appears from these accounts that a balance of about 500 dollars remained in his hands when he retired from office. This sum was deposited in the Bank of the United States, and has this day been returned to the treasury.

The balances to which the publications in the Aurora refer, are the aggregate amounts of sums which have been remitted to bankers and other public agents, chiefly residing in foreign countries. The payments made by the late Secretary of State are supported by regular vouchers, and although in many instances they constitute charges against individuals in the books of that department, they will exonerate the Secretary from pecuniary responsibility. The nature of the public service requires that monies should be intrusted to agents on account, and the practice has been common in every department since the first establishment of the government.

[a] Gen. Marshall and Mr. Dexter were appointed May 13th.

[b] Story's Discourse on Chief Justice Marshall, p. 46.

The removal of the Secretaries was attended by another act, intended by the President to court favor with his ancient enemies. This was the pardon of John Fries,[a] a leader in the Pennsylvania rebellion of 1799, who had been twice convicted of treason, the second time on a new trial, granted for some supposed informality in the first, and sentenced to death therefor. The second trial had taken place in the latter part of April in this year, when his counsel taking exception at some ruling of the law by one of the presiding judges, refused to defend him, influenced as they afterwards stated, "by their opinion of the means most likely to save the life of Fries, under all the circumstances of the case." The evidence was most conclusive; the facts proved exhibited a crime of no ordinary magnitude. Fries, who was a captain of militia, at the head of his company of men, had prevented the execution of legal process in the county, had threatened the life of the United States Marshal, and had forcibly rescued his prisoners. The act had taken place at a time when a general spirit of rebellion prevailed in the district, and in consequence, threatened most dangerous results. It was well known, and to no one better than Mr. Adams, that the western counties of Pennsylvania had for years manifested a refractory spirit, a disposition hostile to the government itself. They had been especially the seat of French intrigues; they had been, too, the hot-bed of a former insurrection, and on this occasion, for the second time, the employment of the armed force of the country had been required to quell it. On the first occasion, the submission or flight of the leaders, had left only subordinate offenders to bear the vengeance of the law, and a sense of justice as well as of equity, had therefore led to the pardon of those actually condemned. On this occasion some of

[a] See Hamilton's "Letter on the conduct of Mr. Adams," p. 41, *et seq.* Pickering's "Review," Section III.; also, Chase's Trial by Impeachment before the Senate, and "the Two Trials of John Fries and als. for treason."

the principals were convicted, among them the most desperate perhaps of all, the one thus on the verdict of two successive juries adjudged guilty of treason, and public opinion among the friends of government was general, that an example was demanded as indispensable to its security. Impunity for former offences had rendered it an article in the creed of the disaffected, that neither the general nor the state governments dared to inflict capital punishment for political offences. "To destroy this persuasion, as was observed by Mr. Hamilton, to repress this dangerous spirit, it was essential that a salutary rigor should have been exerted, and that those who were under the influence of the one and the other, should be taught that they were the dupes of a fatal illusion." Mr. Adams himself, it has been stated, had declared that the mistaken policy of Washington in pardoning those formerly convicted, had been the cause of the second insurrection, and that he would take care that there should not be a third, by giving the laws their full force against the convicted offenders. Even while the trials were pending he had thrown out, that the accused must found their hopes of escape on other grounds than that of pardon.[a] And yet but a few days after the conclusion of the trial, Mr. Adams applied to the counsel of the accused for a statement of their cases,[b] and upon this information, without consultation even with the judges of the court, he pardoned Fries and his fellow convicts. In commenting upon this act, so extraordinary under the circumstances which attended it, and after his own previous expressions, Mr. Hamilton observes, with a severity justified by the facts; "it shows him so much at variance with himself, as well as with sound policy, that we are driven to seek a solution for it in some system of concession to his political enemies; a system the most fatal to himself and for the

[a] Hamilton's Letter, p. 43. [b] Ibid., p. 43.

cause of public order, of any that he could possibly devise. It is by temporisings like these, that men at the head of affairs lose the respect both of friends and foes—it is by temporisings like these, that in times of fermentation and commotion, governments are prostrated, which might easily have been upheld by an erect and imposing attitude."[a] The explanation is undoubtedly a correct one. In Col. Pickering's language, the pardoning Fries "was a popular act in Pennsylvania."[b]

The commissioners of the District of Columbia having, at the last session reported that the public buildings commenced at the new seat of the Federal Government were sufficiently advanced for its accommodation, the President had been authorized to direct the removal of the public offices thither, at any time after the adjournment, and before the time previously appointed by law for the purpose. A subsequent act appointed that the next session should be held on the third Monday of November, at the CITY OF WASHINGTON.

The following order was accordingly issued on the day after the adjournment.

PHILADELPHIA, May 15, 1800.

"The President requests the several heads of Departments, to take the most prudent and economical arrangements, for the removal of the public offices, clerks, and papers, according to their own best judgment, as soon as may be convenient, in such manner that the public offices may be opened in the City of Washington for the despatch of business, by the 15th of June."

The removal was accomplished in the month of June.

[a] Hamilton's Letter, p. 44.

[b] Pickering's "Review," Section III.

FROM THE PRESIDENT.

PHILADELPHIA, May 17, 1800.

Sir,

I thank you for your report of the 16th of this month, and for your early attention to the important subject of the loan. I have subscribed, and send you with this, an authorization to borrow to the amount of the law; but if the public exigencies can be satisfied with a part of it, your own public spirit of economy, will induce you to confine yourself to such part.

The rate of interest, is a subject of great anxiety to me. When I recollect that I borrowed for this country, near a million sterling, at a rate of interest from four and a half, to six per cent., or thereabout, more than fifteen years ago, when this nation had not two thirds of its present population, when it had a very feeble government, no resources, no taxes, by barely pledging the faith of the people, which faith has been most punctually, and religiously kept, I cannot but suspect that some advantage is taken of this government, by demanding exhorbitant interest. As Great Britain, with her immense burdens, after so long, and so wasting a war, is able to borrow at a moderate interest, I entertain a hope, that we may at least, abate somewhat of a former interest.

As I know your zeal for the interest of your country to be equal to my own, I have entire confidence in your exertions, that we may take up as little as possible of the sum, and at as low an interest as can be obtained. With great esteem, I am, sir, your obedient servant,

JOHN ADAMS.

FROM CHRISTOPHER GORE.

BOSTON, 30 May, 1800.

My Dear Sir,

I shall embark from this place about the 10th June, and shall be very happy to bear any of your commands to the other side of the ocean. Under the existing circumstances, it would give me singular satisfaction to have one hour's conversation with you before my departure; but that is impossible; although not less so, than to communicate all I feel, and all I fear, as to our future situation. I hope, and in that hope I am sure I am joined by almost every honest, and every sensible man in the community, that our very honourable, and respectable friend, Col. Pickering, will not find it expedient to retire from the active scenes of society.

I pray you to present my affectionate regards to Mrs. Wolcott, and to believe me, sincerely, your friend, and servant,

C. GORE.

FROM SAMUEL DEXTER.

30th June, 1800.

Dear Sir,

The Secretaries meet at the office of Secretary of Navy every Tuesday and Friday morning, at 9 o'clock. Messrs. Marshall and Stoddert join me in requesting the favour of your attendance to-morrow. Yours, with great esteem,

S. DEXTER.

The summer of 1800, was a critical, and, as it ultimately proved, a fatal period to the federal party. The attacks of the opposition, the still more fatal dissensions in its own ranks, had now fully developed in their consequences, and the prospects of defeat in the election which was approaching, daily became stronger. At the same time, it was evident that there was no ground upon which the party could be united, with sincerity and good will. The more decided, among whom was Wolcott, had been disposed openly, and without concealment, to drop Mr. Adams as a candidate, and to rally upon General Charles Cotesworth Pinckney, and some distinguished character from the north; a second set wished to accomplish the same object; but, doubtful of success, despairing indeed, of being able, fully to explain to the party at large the reasons for such a step, hoped yet to accomplish the measure through the electors; a third, and that a numerous class, consisting of those who approved his policy, and of those who did not understand his position, were either determined to support him at all hazards, or expected that he was to be supported as a matter of course. The result was, that Mr. Adams remained a candidate for reëlection, and General Pinckney was nominated as the other. The federal caucus had, as will have been seen from Mr. McHenry's letter, recommended them to the equal and unanimous support of the electors; but there were many circumstances which would prevent this from succeeding.

The position of the federalists, was in every view, a difficult one. On the one hand, there was, perhaps, a want of fairness to Mr. Adams, who, however he had swerved in his presidential career, was entitled to consideration from age, and former services, in placing him in a rank lower than the one which he had held; and there was a still greater want of apparent candor toward a large body of the party in thus degrading him; as though the Constitution provided no means of distinguishing the rank of the candidates, other than the number of votes, they must, if unadvised of an opposite intention, have voted with an expectation of his reëlection to the first office. On the other hand, so many influential men were decidedly opposed to him, that a unanimous agreement could not be looked for in his favor, even assuming that a majority of the electors were federalists. A vigorous exertion might, at an earlier period, if accompanied by an exposition of facts, have defeated Mr. Adams' nomination altogether; but the result might have been fatal, and the time had at any rate passed, at which it could be effected. As it was, it only remained for those who were hostile to his election, to centre upon Mr. Pinckney, withdrawing a sufficient number of votes from Mr. Adams, to prevent his election to the first place. By doing this, indeed, the whole ticket was hazarded, as it was to be expected that Mr. Adams' friends would, at all risks, endeavor to counteract the movement; but there were those, who had so entirely lost confidence in him, that even the choice of Jefferson or Burr, was hardly more obnoxious.

On these subjects, the letters which follow, from Wolcott, and the numerous communications to him, will be found to set forth fully the opinions of the writers. But whatever were the dissentions of the federalists, strenuous exertions were still made during the summer, to carry the election. The general reasons of their ill success will be hereafter adverted to. It is worth while to pre-

sent the following, recorded by Col. Pickering,[a] as one of the particular causes. The anecdote was contained in a letter to him from a friend.

"Some time in the fall of 1807, I was in company with General Henry Lee, at ——, in Virginia. During the day, various topics of conversation were introduced. Among others, some remarks were made upon the unhappy consequences which had resulted from the change in the federal administration of the government of the United States. And this change was, in a great measure, by the person submitting these remarks, attributed to the apathy and inertness of federalists at elections. General Lee replied, that he did not hesitate to allow some influence to that cause, but that he ascribed the principal cause to Mr. Adams himself; and then remarked, that being in Philadelphia in the summer of 1800, where the subject of the approaching Presidential election had excited much interest, he dined with Mr. Adams, in company with Mr. Jefferson. In the afternoon, when Mr. Jefferson had retired, he took the liberty to caution Mr. Adams, who had been, as he considered, very unguarded in the presence of Mr. Jefferson; and observed, with the view to enforce that caution, that he knew Mr. Jefferson was using all his influence and intrigue, to supersede him in the Presidential chair. Mr. Adams received this friendly admonition with apparent displeasure; and observed with warmth, that he believed Mr. Jefferson to be more friendly towards him, than many who professed to be his friends; and that he further believed, Mr. Jefferson never had the ambition, or desire to aspire to any higher distinction than to be his first lieutenant."

It was this miserable fatuity which Mr. Ames so well characterised, when he spoke of "the pride that wanted Jefferson to be, and to be exhibited as his second, and that was not hurt at being in return his dupe."

FISHER AMES, TO CHAUNCEY GOODRICH.

DEDHAM, June 12, 1800.

My Dear Sir,

This moment I have received Mr. Wolcott's letter of the 7th, and am desired to send my answer to your care. It is not improper to address it to you. His letter shall go to Mr. Cabot, with that regard and attention which we both feel for the writer. I lose no time to write, and shall be brief, as I am hard pushed for time to prepare some law business in my hands.

I returned from Connecticut strongly impressed with the necessity for awakening the federalists to a sense of their danger, and persuaded that the danger was likely to be much augmented by the obstacles, [which] local and personal attachments,

[a] "Review," Sec. III.

would create in Massachusetts, to the proper exercise of our State's right of suffrage. You will know that this State is to choose electors by the legislature; that this was intended, and was expected to secure a unanimous vote for Adams and Gen. Pinckney; that the choice must be made in November next; and it is probable, though not so certain as I wish, that all the votes will be given for those two. I believe further, that it is understood by most persons, that Pinckney's chance is worse than Jefferson's, and better than Adams'. Of those who foresee the exclusion of the latter, few yet dare, and fewer think it prudent or necessary, to avow their desire, of such an event of the election. The Demos, would join in the cry to make any man opposed to the President, unpopular, and no party is yet formed, and in activity among the federalists, to vindicate and shelter him. I scorn, as much as my friends do, duplicity, or timidity in politics; yet, while I avow my opinions and expectations as much as any enquirer has a right to know them, I think myself bound to exercise that discreet reserve, [without] [which,] we might divide the votes, and mar the success of good measures. Many explanations must be given, and time must pass, to familiarise good minds to correct new ideas, before you can expect more than I have stated, as the expectation and object of the legislature of Massachusetts, to choose the electors themselves. An open attack, if made soon on one of the two, would, I fear, divide our force, and perhaps give some votes to Jefferson; yet, Mr. Wolcott seems to think (for on this point he is not perfectly clear) that we in this State, ought to vote for only *one* of the two intended candidates. I perceive a great fund of federal zeal and merit, such as he could wish, in the leading members of our General Court, and I also see that *a certain interest* is jealous and busy, but manifestly weak in both branches. Due care will be taken to get men of sound, independent patriotism, for electors. The difficulty of securing their election, and of their due conduct in that character, is understood. I expect a progressive alarm will be felt, as the time of election approaches, and as the strange, whimsical conduct of a certain great man is more generally comprehended. Now, I wish to know how much further you would wish us to go. I have carefully stated on all occasions, that the object is to keep an *anti* out, and get a federal President in; and that the only way to do it, is, by voting for General Pinckney, at the risk, which every one I converse with suggests, of excluding Mr. A. Many of us are willing to say all that the cause requires, and unwilling to say anything that truth forbids; but on the former point, you and Mr. W. may probably decide that Massachusetts ought to hear more than I have stated. Any strong impulse on public opinion here, could produce, at best, only a pretty general effect, whereas, we must have a unanimous vote, or have Jefferson.

I will desire Mr. Cabot to write fully, after enquiring much. I have not time for the task. After two weeks, I hope to be more at leisure. Y'r friend,

FISHER AMES.

FROM FISHER AMES.

DEDHAM, June 12, 1800.

My Dear Sir,

I have twice read your favour of the 7th, received by this day's mail, and

have written to Mr. Goodrich a brief and hasty reply. Really I have no leisure, and am not to have any for a fortnight, but being more politician than lawyer, I cannot forbear to add another sheet. Towards the last days of the commonwealth, all our fears claim to be important. Yet I hope, while I unreservedly communicate mine, that our republic will live to wear grey hairs and green honours.

There are three parties in the United States. Men, who from mere want or folly, abhor restraint; those who from principle, habit, or property, would impose it, and the personal or interested friends of a man, whose caprices and weaknesses have been sometimes *scienter*, but often blindly used, to weaken our party and to animate the other. This man is vindictive enough at any risk or even ruin, to disappoint those who will, he thinks, *alone* disappoint him. His vanity is also soothed to exhibit his fate as proceeding from the art or force of the antis, rather than the disgust of the feds. In that event want of votes would seem more tolerable than the detected want of character. Yet do not condemn me if I say that man has talents for every thing but business, and keep him to making books, he is a great man. Precisely such men act most absurdly. The weak parts of great characters are most prominent and decisive of events. It has long been a common place axiom of my creed, that the world's wisdom has not half as much to do in its government as its weaknesses. This man fancied parties could not do without him. You must remember, though you say you did not know him till his election, that I told you at great length and most faithfully in your office, exactly what *I knew* him to be, before he was in office. This extravagant opinion of himself, this ignorance of parties and characters, this pride that wanted Jefferson to be, and to be exhibited to be his second, and that was not hurt at being in return his dupe, this caprice that was often shifting style and that forbid him ever to have a sober, reflected system. I say all this was known to Cabot and to me in kind, though we both confess, in some of the points, less in degree than the event has exhibited. So it is, however. When his strange measure was announced, and the stranger affectation of mystery as to its reasons, I did not scruple to say it to confidential persons, that when a man is lost with his party, he is irretrievably lost; that he had renounced us, and it was in vain ever to expect he would be right. The truth is, his party is feeble; doubts infest the timid, and they do not know how to get rid of old opinions, which they know were once popular, and to take new ones which they apprehend will be violently unpopular. All the influence of office, of popular prejudices, and habits, and all the effect of the arts of our political rivals are manifest at this moment, and the division of the federal people, and the augmented spirit and force of the antis are evils scarcely to be avoided. My thoughts are, that as the unanimous vote of Massachusetts must be had, the plain truth, which in other moments can alone work miracles to save, would now operate to divide us. That, instead of analyzing the measures of the man who has thus brought the cause into jeopardy, you must sound the tocsin about Jefferson; that the hopes and fears of the citizens are the only sources of influence, and surely we have enough to fear from Jefferson; by thus continually sounding our just alarms we remain united with the people, instead of separated from them, and losing at least a part of our in-

fluence. This will not exclude our suggestion of the experienced bad effects of the attempts to coin them, (i. e. by the envoys to France,) and the little cause for apprehension if General P. should be elected. This part of the business will require judgment, but it will be impossible to exclude the thoughts of political men from running in this train. Why not then, without delay, begin a series of papers to prove the dreadful evils to be apprehended from a Jacobin President. That he would try the first year to coax and to delude, to promise to support the existing system of measures, to gain and to employ in office the known friends of those measures, and to give hopes to many more that they will in turn be employed, thus to abate the fear which federalists entertain, and which is the source of their union. When he has so far broken their force as that the fear of it no longer keeps the antis in check, and submissive to his guidance, then he must act as his party will have him, and not as his own timidity or prudence might otherwise incline him. Moderation, however he might first affect it, would be perceived to gain him no friends among the real federalists, and it would, if persevered in, like the policy of the present chief, sap the foundation of his influence with his own party. He would not rashly and absurdly desert his friends to gain his foes, and thus there would be one year of hypocrisy to divide our party, and three years of Jacobinism to oppress and plunder it. For it is not easy for him to act otherwise. Either a chief must join the malcontents who hate restraint, and most of all legal restraint, the natural and unconquerable Jacobins, or he must unite with those who respect law and order, and who would impose such restraint. In the one case or the other, his friends and his foes, his objects to choose and to shun, his reasons, pretexts, and means are all fore-ordained by the decrees of political fate. This Mr. Jefferson well knows, and will act accordingly. He will have, it is true, a personal object, somewhat distinct from his party; i. e. to keep his post, and that will lead him to promise, to coax, and to intrigue; but as soon as the federal men, who might happen to be in office, or who might be there on his accession to the chair, by agreement or coalition, as soon as their influence had been used and exhausted to gain apostates from us, and to blast their own fame with our party, then he would act as his party would require. They would require that the active capital of the country should not augment the over-weight of the northern scale; it is the power of an enemy, and must be lessened. A thousand ways of attacking property are plausible, popular, and fatal. Besides, however fond of power and resolute to maintain it, his situation would impose it upon him to maintain it by the energies of Jacobinism, by courting, exciting, and guiding the passions of the people, a source of power, which, though disguised, is a resort to mere *force*, and accordingly as soon as experience has pointed out that such force is often wanted, and always clumsy, and sometimes taken out of the demagogue's hands by a fresher and therefore more favourite demagogue, it will lead to a more permanent and manageable force. Behold France—what is theory here, is fact there. What is here faith, is there fruition. The men, the means, the end of such a government as Jefferson must, *nolens volens*, prefer, will soon ensure war with Great Britain, a Cisalpine alliance with France, plunder and anarchy.

Such ideas exhibited with vivacity and force, would arouse the public, if the

sleep of death be not already upon us. We should feel and make manifest our sympathy with it. Our power over opinion would not be wholly lost, as I think it would be by a hasty attack on the present chief. I write very hastily, and steal the moments from business, which I ought not to neglect, and make no scruple of submitting crudities to your friendly judgment. I pray you write in confidence to me or Mr. Cabot, and be assured that I am unfeignedly your friend, &c.,

FISHER AMES.

FROM GEORGE CABOT.

(Private.)

BROOKLINE, June 14, 1800.

My dear Friend,

I have more than once spoken of your situation in the government to men whom you already esteem, and to others whom you would esteem if you knew them. They all agree that you fulfil a high but difficult duty in remaining at your post while the public good so strongly demands it. Whatever may be your apprehensions, I hope you will see the issue of the presidential election before you decide on any new course of life. It is not easy to answer satisfactorily the question, "How far the influential men in Massachusetts will go in attempting to save the declining cause?". You may, however, rely upon it, that the most influential men think as you do upon the nature of our difficulties, and the remedy for them. It is one of the evils incidental to popular systems that the best friends of government feel themselves obliged to conceal the defects, and magnify the good qualities of those who administer public affairs. A reputation and degree of personal power is by this means acquired, which may be used for wrong purposes, and cannot be suddenly counteracted. A perfect silence has been observed in Massachusetts until very lately, on the caprices, ill humour, selfishness, and extreme vanity of a man who, with these faults and weaknesses, possessed some good qualities, great talents in political speculation, and has rendered some important services. Many good men had their fears, as you know, that Mr. Adams would make wild steerage if placed at the helm, notwithstanding he had written well on the subject of political navigation. But those men suppressed those opinions, and co-operated with others in giving praise as often as they could, and thus contributed to strengthen the public sentiment in his favour. Thus his fame is, in some sort, interwoven with the web of the national government. Local ideas also concur to unite them in the minds of the people here, so that every attempt to separate them is ill received. I think, however, that if electors were now to be appointed, they would vote unanimously for Adams and Pinckney. Our legislature has taken this business into their own hands, and although they do not wish to see Mr. Adams discarded, I am satisfied they would not hazard the mischief of having Mr. Jefferson elected by wasting a single federal vote. Every moment brings me new proof that the opinion extends itself, of the propriety of uniting all our votes with the federalists of other states, as the only measures by which the government can be preserved. Having thus given you

my own single opinion, I ought to suggest my apprehension that great pains will be taken, in the course of the summer, to arouse the passions and prejudices of our people in various ways, and bring them to bear upon the legislature in such a manner as to [deter] them from pursuing their own measures, on principles which ought to govern. Events abroad, too, may be of a kind to be convertible to the same purposes. All these, and other contingencies, are deductions from present estimates, which you will naturally make. On the whole, I trust the good sense of New England will see its interest, and will not sacrifice it to the views of any individual. Yours, faithfully and affectionately,

GEORGE CABOT.

TO GEORGE CABOT.

PHILADELPHIA, June 16, 1800.

I wrote a letter to Mr. Ames from Hartford, which I desired him to show to you. Whatever may be thought of my sentiments, I think it right to communicate them to my friends. It is probable the same opinions will be more generally entertained than avowed; but if General Pinckney is not elected, all good men will find cause to regret the present inaction of the federal party. It is at least in their power to defend their principles, and to assume a position in which, if defeated, they may avoid dishonour. It is with grief and humiliation, but at the same time with perfect confidence, that I declare that no administration of the government by President Adams can be successful. His prejudices are too violent, and the resentments of men of influence are too keen, to render it possible that he should please either party, and we all know that he does not possess, and cannot command the talents, fortitude, and constancy necessary to the formation of a new party.

The facts upon which these opinions are founded, are not generally known to the federalists, although they are well understood by our adversaries, and this circumstance constitutes our principal danger. There is nothing said in defence of the government which is understood by the people. The papers on our side are filled with toasts and nonsensical paragraphs, attributing wisdom and firmness to the President, while at the same time all confidence is destroyed by the skilful attacks of a vindictive and intelligent opposition. I am no advocate for rash measures, and know that public opinion cannot be suddenly changed; but it is clear to my mind that we shall never find ourselves in the straight road of federalism while Mr. Adams is President. If, however, sensible men think otherwise, he will be supported, for I shall certainly admit that a *charge* ought not to be attempted except upon the clearest evidence. The beginning of the next week I shall proceed to Washington, where I will endeavour to do as much good, and as little mischief as possible. It would, however, be an affectation of insensibility to pretend that I do not expect to suffer much unhappiness, knowing as I well do that the whole vengeance of the party will be exerted against the treasury department, and that the views of certain individuals, whom I do not yet consider as Jacobins, will be promoted by destroying my character if possible. The engines for effecting these purposes are prepared, and the opera-

tions have commenced. Some of the clerks in the offices, either of the Auditor, Comptroller, or Register, will continue to furnish extracts from the files and records, which will be published and misrepresented in Duane's paper. Unjust as the accusations will be, both in respect to myself and the other officers of the department, they will make a considerable impression, and I shall be held accountable for frauds which I could not prevent, and for errors which others have committed

I must state one instance in point: * * The day I was informed of it, I called on Mr. ——, and represented the nature and tendency of his conduct. I afterwards wrote him a private letter, and during the session recovered the money for the public. The accounts have, by some means not to be discovered, been copied for Duane and published in the Aurora, with most insolent accusations of my conduct. As —— cannot be defended, his breach of trust will attach suspicion to the officers of the treasury, and to every man who has an account open with the public; and of course the sums unaccounted for will be plausibly represented as sums which have been embezzled.

As part of Col. Pickerings accounts are unsettled, he has been attacked in the most indecent manner, although I am certain that not a cent of money has been applied improperly. This, indeed, appears from his accounts, which have lately been rendered for settlement.*

Please to present my affectionate respects to Mrs. Cabot, and to rest assured that I remain your friend.

FROM CHAUNCEY GOODRICH.

HARTFORD, June 19, 1800.

Dear Sir,

As the summer work comes on, we Yankee farmers begin to let politics alone, which I suspect will be much in favour of the good old grace of christian patience, and probably of no dis-service to the body politic while in its truant state.

The letters I enclosed, came under cover to me. Mrs. Wolcott and the family left us on Tuesday for Middletown. Yesterday, all were well. Mary Anne is better than while you was here. I have furbished up my office, and am furbishing up my brain for lucubration in the science of law. If you at any time should be bereft of the great law character of the country, or government rather, I expect soon to have on hand some of Lord Coke's conundrums for your use; so after a while you may send forward your knotty points.

I see the New Jerusalem of our empire has been consecrated, not, indeed, after the old New England mode, but with meats and viands. Pray, in what line has the enterprising genius of the inhabitants of Georgetown been displayed, except in a commerce with Greenleaf's, Morris', and Nicholson's notes. The compli-

* It should be understood, that under the then existing arrangement of the office, the Secretary of State was a disbursing officer, in regard to moneys passing through foreign ministers and bankers, and, consequently, his accounts remained open until the vouchers were rendered by them.

ment may, however, be literally true; if they have been only enterprising in that way, for the gist of the thing is enterprise. Was it not going a little too far to pray that the government may at all events abide forever and forever at Washington? Who knows what may happen in the meantime? According to all calculations of the mundarians, Tristam Dalton, and all the rest of the good folks on the Potomac and south of it, must be gone far away before the end of the period. It seems to me a thousand years would have satisfied on that point. But perhaps he who begot the government, nursed it up, keeps it from being eat up by either Frenchmen or Englishmen, Federalists or Jacobins, who is the *Opossus* in which it sleeps by day and night, knows and can and ought to say where it shall live evermore. I consider it as now fixed, till the millenium at least, for the time in which man and devil is to rule, by the irreversible laws of diplomacy, and no little imp or greenhorn, come from mothers' womb since 1776, is to say anything about it. The fiat has been pronounced in the temple of the laws by the founder of the empire himself, and let no one kick hereafter against the pricks.

The Frenchmen keep up the game of catching our vessels in the West Indies. I am, your affectionate friend,

CHAUNCEY GOODRICH.

FROM NOAH WEBSTER.

NEW HAVEN, June 23d, 1800.

Dear Sir,

I observed that the charges against Col. Pickering in the Aurora, respecting the misuse of public money, made little or no impression in Philadelphia; but at New York and at this place, the effect is different. The people in general have no personal knowledge of public characters, and cannot, from their own acquaintance with the men, contradict false suggestions. The falsehoods circulated through the Jacobin prints, make a great impression on minds of people at a distance, especially when asserted with confidence. This is remarkably the fact in regard to the delinquencies of public officers at the present time. It certainly is degrading for the government to carry on newspaper controversies with its opposers, but our government stands on popular opinion, and if that should fail to support it, it will fail to be supported. The friends of government labour hard in the cause, but mere contradiction does no good, or very little, if anonymous. No private person has the means to counteract the influence of bold assertion respecting public men, especially in regard to money, and I believe nothing short of official statements can have the effect. If public men have been guilty, let them suffer. But for God's sake, let not falsehood circulate without disproof. If it is supposed that the low credit of the papers which first publish such assertions, or of the party which circulates them, will prevent undue impressions being made, we shall discover the fallacy when too late. Innumerable false assertions, often repeated, have passed uncontradicted by government, I think improperly, and they have been the principal instruments of extending the opposition to an alarming degree. I go further, and aver that no government can be durable and quiet

under the licentiousness of the press that now disgraces our country. Jacobinism will prevail, unless more pains are taken to keep public opinion correct. This can be done, and I think it ought to be done. I write with freedom, as to an old friend, and am, with great esteem and respect, your obedient servant,

N. WEBSTER.

FROM TIMOTHY PICKERING.

PHILADELPHIA, June 24, 1800.

Dear Sir,

In conversation lately with Mr. Liston, the pardoning of the three persons, Fries, Gettman, and Harney, Northampton insurgents, convicted of treason, and sentenced to be hanged, was mentioned, and the extraordinary measure of the President in consulting Mr. Lewis and Mr. Dallas, *the prisoners' counsel*, instead of the judges, to get information, either as to the law or the facts in the case; and that Lewis and Dallas gave their statement and opinion in writing, expressing it to be done at the request of the President. "Yes," said Mr. Liston, "Mr. Dallas showed me their letter to the President;" and then spoke of its contents, mentioning the opinion of those gentlemen to the best of my recollection, that the acts of those insurgents amounted to sedition, but not to treason. But the fact of Mr. Dallas' showing the letter to Mr. Liston, was the principal and only thing you desired me to state, and of that I am certain. With sincere respect and esteem, &c.,

T. PICKERING.

FROM RICHARD STOCKTON.

PRINCETON, 27th June, 1800.

Dear Sir,

I have had the pleasure of receiving your favour of the 24th instant, and should have been much satisfied if it had been in your power to give me a call on your return through New Jersey. I suspect that what I have said respecting Mr. Tracy's communications to me has been misunderstood. This gentleman told me unequivocably, that the State of Connecticut would do any thing to promote the true interest of the government at this crisis; that they had no predilection; on the contrary, the men of the most importance were disgusted and entirely alienated from the President; that he and others differed in opinion from you and other friends, as to what was right to be done; they believing that nothing further was practicable than the plan proposed in Philadelphia, of running two candidates. He said that from the information he had, he did not think that Massachusetts, and others of the eastern states, would be prevailed on to go further, and that the prospect was, that they would not go so far. That it was generally believed, that the Legislature of Massachusetts in reclaiming the appointment of electors was, with a view to secure the whole for Mr. A. He mentioned the meeting at Hartford as entirely accidental, and did not state that Mr. Ames made one of that company, but that he had seen him before, and I

understood from him that the result of the conversation at Hartford was, that no ultimate opinion could be then formed. This is the substance of what he told me, and as I informed him that I wished information for a particular reason, I presumed I was at liberty to state it and to use his name. I hope the gentleman to whom I stated this at Burlington, did not misunderstand or make me i nute to Mr. Tracy sentiments he never uttered. He seemed by all he said to me to believe that we ought to attend to what was practicable in the present state of things, and not to give up all for prospects which probably would not be realized. I believe I may confidently assure you that the federal cause will prevail here in the election of electors, but to produce this event I am convinced we must not be even suspected of having any thing further in view than the running of Mr. A. or Mr. P. I believe that a public avowal of a design to drop and oppose the first gentleman, would cause the loss of any ticket supposed to be actuated by these principles, though there would be a ready acquiesence in the idea of using all the votes the constitution gives us, and thereby having a double chance of a federal man. It is natural that this should be our condition ; the majority of the legislature are men to whom confidential communications cannot be made, you have seen and know the description of men we have in these stations. They have looked up to a few men to direct them in federal politicks. These men have for four years been holding up Mr. A. as one of the wisest and firmest men in the United States. What reason could be given for so sudden a change of sentiment. Is there any other reason which could be avowed to such men of a public nature, but the removal of Mr. P. [Pickering.] This would not produce any effect. I believe that with this class of men Mr. A.'s popularity has not been diminished, by this slip. Not that Mr. P. is thought ill of, but it is said that in doing it, the President has exercised a constitutional right, and that if the Secretary was disagreeable to him, or has assumed too much to himself, (which they presume was the case) he has shown himself the man he was represented to be by removing him. There is nothing but private anecdotes not proper to be mentioned, of the truth of which nothing but assertion could be produced, which could be brought to repel this obvious course of reasoning. Further, it is almost certain that we shall before this thing is matured, have a French treaty on good terms, on paper at least, brought over. It would never be believed but that this treaty formed the true objection ; that the federalists wishing war with France opposed him, because he had made peace with that nation on honourable terms. This kind of reasoning it is believed would prevail here, and not a man of information can be found in New Jersey, who on consideration, will not say that it will not do to talk of direct opposition. But if we use a prudent silence we shall get in our ticket of electors, and if I am not deceived, they will be men who will do right in the vote ; they will go on the basis of securing a federal President. Mr. P. will be the man of their choice. They will act, at all events, in conformity with the plan proposed, in Philadelphia, and if the eastern states will unite in a more direct and decisive system, they will not desert them. But they will not be prepared to say that they prefer J. to A. ; they would effectually destroy themselves in the public estimation if they did, or were to follow a plan of impotent resentment which eventuated in the election of a

man whom they have caused to be hated by all good people, as devoid of principles, either religious or political. Indeed none of us think that affairs are so desperate as to believe that Mr. A. with all his weaknesses, surrounded by his present council, and more or less influenced by all, or at least by some of its members, can be a worse man than J. with Gallatin, Burr, &c., &c.

I will take the first opportunity I have, of showing your letter to the Governor, and shall be very happy to hear from you when it is convenient. I will be happy in informing you of every change which may take place here.

I am, with the greatest respect and esteem, dear sir, yours,

R. STOCKTON.

FROM ALEXANDER HAMILTON.

NEW YORK, July 1, 1800.

Dear Sir,

I send you the enclosed; if any good use can be made of it, you will do it.

I have been in Massachusetts, New Hampshire, and Rhode Island. There is little doubt of Federal electors in all. But there is considerable doubt of a perfect union in favour of Pinckney.

The leaders of the first class are generally right; but the leaders of the second class are too much disposed to be wrong. It is essential to inform the most discreet of this description, of the facts which denote unfitness in Mr. Adams. I have promised confidential friends a correct statement. To be able to give it, I must derive aid from you. Any thing you may write, shall be, if you please, returned to you. But you must be exact, and much in detail. The history of the mission to France, from the first steps connected with the declarations in the speech to Congress, down to the last proceedings, is very important.

I have serious thoughts of writing to the President, to tell him that I have heard of his having repeatedly mentioned the existence of a British faction in this country, and alluded to me as one of that faction, requesting that he will inform me of the truth of this information; and if true, what have been the grounds of the suggestion? His friends are industrious in propagating the idea, to defeat the efforts to unite for Pinckney. The inquiry I propose, may furnish an antidote, and vindicate character. What think you of this idea? For my part, I can set malice at defiance. Yours truly,

A. H.

TO MRS. WOLCOTT.

WASHINGTON, July 4th, 1800.

I write this letter in the building erected for the use of the Treasury Department in the city of Washington, and this being a day of leisure, I shall be able to give you some idea of this famous place, the permanent seat of American government. * * * *

The city of Washington, or at least some part of it, is about forty miles from

Baltimore. The situation is pleasant, and indeed beautiful; the prospects are equal to those which are called *good*, on Connecticut river; the soil is here called good, but I call it bad. It is an exceedingly stiff, reddish clay, which becomes dust in dry, and mortar in rainy weather.

The Capitol and the President's house are built of a soft white stone, which is, however, said to be sufficiently durable, and are by far the most magnificent buildings I have ever seen. But one wing of the Capitol is finished; yet the solid contents of this wing are, I should suppose, four times greater than the Bank of the United States. There are several large square rooms, which are finished in a neat and elegant manner. The Senate room is magnificent in height, and decorated in a grand style. The galleries are spacious, and in front of them is a collonade of sixteen pillars, supported on arches. That part of the room which is appropriated for the use of the Senate is, however, less than the room which was occupied by that body in Philadelphia. The room designed for the temporary use of the House of Representatives, is inelegant. The galleries for the sovereign people are spacious; but the members will have less room than in Philadelphia, and many of their seats will be placed under the galleries. The external appearance of the House, except on the south side, which is intended to be joined to the centre building, is magnificent. It is worth seeing, and was built to be seen; but I can say but little in its favour, as a building calculated for convenience.

The President's house, or *palace*, is about as large as the wing of the capitol above described, except that it is not so high. It is highly decorated, and makes a good appearance, but is in a very unfinished state. I cannot but consider our Presidents as very unfortunate men, if they must live in this dwelling. It must be cold and damp in winter, and cannot be kept in tolerable order without a regiment of servants. It was built to be looked at by visitors and strangers, and will render its occupant an object of ridicule with some, and of pity with others.

The Capitol is situated on an eminence, which I should suppose was near the centre of the immense country here called the city. It is a mile and a half from the President's house, and three miles on a straight line from Georgetown. There is one good tavern about forty rods from the Capitol, and several other houses are built and erecting; but I do not perceive how the members of Congress can possibly secure lodgings, unless they will consent to live like scholars in a college, or monks in a monastery, crowded ten or twenty in one house, and utterly secluded from society. The only resource for such as wish to live comfortably will, I think, be found in Georgetown, three miles distant, over as bad a road, in winter, as the clay grounds near Hartford.

I have made every exertion to secure good lodgings near the office, but shall be compelled to take them at the distance of more than half a mile. There are, in fact, but few houses at any one place, and most of them small miserable huts, which present an awful contrast to the public buildings. The people are poor, and as far as I can judge, they live like fishes, by eating each other. All the ground for several miles around the city being, in the opinion of the people, too valuable to be cultivated, remains unfenced. There are but few enclosures, even for gardens, and those are in bad order. You may look in almost any direction,

over an extent of ground nearly as large as the city of New York, without seeing a fence or any object except brick kilns and temporary huts for labourers. Mr. Law, and a few other gentlemen, live in great splendor; but most of the inhabitants are low people, whose appearance indicates vice and intemperance, or negroes.

All the lands which I have described, are valued by the superficial foot, at fourteen to twenty-five cents. There appears to be a confident expectation that this place will soon exceed any city in the world. Mr. Thornton, one of the Commissioners, spoke of a population of 160,000 people, as a matter of course, in a few years. No stranger can be here a day and converse with the proprietors, without conceiving himself in the company of crazy people. Their ignorance of the rest of the world, and their delusions with respect to their own prospects, are without parallel. Immense sums have been squandered in buildings which are but partly finished, in situations which are not, and never will be the scenes of business; while the parts near the public buildings, are almost wholly unimproved. Greenleaf's point presents the appearance of a considerable town, which had been destroyed by some unusual calamity. There are fifty or sixty spacious houses, five or six of which are inhabited by negroes and vagrants, and a few more by decent looking people; but there are no fences, gardens, nor the least appearance of business. This place is about a mile and a half south of the Capitol.

On the whole, I must say that the situation is a good one, and I perceive no reason for suspecting it to be unhealthy; but I had no conception, till I came here, of the folly and infatuation of the people who have directed the settlements. Though five times as much money has been expended as was necessary, and though the private buildings are in number sufficient for all who will have occasion to reside here, yet there is nothing convenient, and nothing plenty but provisions; there is no industry, society, or business. With great trouble and expense, much mischief has been done which it will be almost impossible to remedy.

Georgetown is a compact town, tolerably well built, and inhabited by a considerable number of genteel families. It is, however, almost impossible to get from one house to another in bad weather, owing to the ditches which have been formed by the drains. The ground is the most unequal upon which I have ever seen houses erected.

* * * *

FROM THOMAS FITZSIMMONS.

PHILADELPHIA, July 10, 1800.

My Dear Sir,

Knowing how much your time is occupied, I have forborne to trespass on it, although I have been anxious to learn what your information is from Massachusetts on the subject we conversed of before you left this town. If report is to be believed, Mr. A. is secure of the votes of the electors of that state, while the like unanimity is not expected for Mr. Pinckney; till the fact is better ascertained there is a suspension of measures this way, lest any that should be taken

might interfere with the federal interest. I wrote to Ross as you wished, and expect to hear from him this week, but in fact I promise nothing for this state. We are not able to find a man in this city tolerably qualified to oppose both democratic candidates for Congress. The party appears to be either supine or deranged; there have been several meetings, but so slenderly attended that nothing can be promised from them. The present mayor of this city has been proposed for Congress; I know not whether he will agree to serve, but whether he should or not, his good intentions only can be serviceable in that station. We must not, however, despair; it very often happens that after a paroxysm of indolence we reverse and become zealous. Our commerce is but languid; there have been some important captures made upon us by the French and British, and the adventurers in West India produce are not likely to be benefited by them. Necessity has driven a great part of our capital to the countries beyond the Cape of Good Hope; of course there will be little activity till that capital returns. The trade profitable to individuals is certainly unfavourable to the country; should we unfortunately fall out with Great Britain, our whole commercial capital is by this means within their grasp.

Some anxiety is expressed about the negotiation in France. When any advice arrives, let it be communicated; the sooner it is made public the better. The French will again get the better of their opponents, notwithstanding the success in Italy. With real regard, I am, dear sir, your most obedient servant,

THOS. FITZSIMMONS.

FROM BENJAMIN GOODHUE.

SALEM, 10th July, 1800.

My Dear Friend,

You may recollect I desired you to send on to William Gray, jr., or Benjamin Pickman, Esq., the certificates for the Essex frigate; I wish you to bear it in mind.

From the late measure of our general court respecting the mode of choosing electors, there is no doubt but they will all, not only be federal, but will, as I think, all give their votes for Gen. Pinckney. This will be made a point of in the choice, and the subject is perfectly understood by our influential men, as well as Mr. Adams' insufferable madness and vanity, which, you may be assured, after his treatment of me and my friends, I felt no great reluctance in communicating to them. He will, however, probably have all the votes of this state from motives of policy, under the idea that it will cause less convulsion here to let him die a natural death through the neglect of the electors in some other states, than attempt to give him a violent one by coming out in open opposition to him in this. Hillhouse writes me, it will be difficult to get the Connecticut electors to vote for him. I hope to God, they won't.

P. Williams, our consul at London, who is very intelligent, writes his friends by the last arrival, that the business of our commissioners in France goes on slowly, or rather is suspended, under pretence that they have got their hands so full they can't attend to it. He adds, that it is generally supposed France must

soon sue for peace for want of resources. That God would guard and bless you, is the ardent wish of your affectionate friend,

B. GOODHUE.

FROM TIMOTHY PHELPS.

NEW HAVEN, 15 July, 1800.

Dear Sir,

Our friend Webster has lately been on to the eastward; has visited Quincy, and has returned quite an Adamite, and in my opinion trimmed ship very much; says the President has done perfectly right; that he, *Noah*, has taken much pains and expense to ascertain facts; that the President found a very strong English party in this country, (Hamilton at the head,) and that he found it necessary to rip it up; that the report of his temporizing with the democrats, Gov. McKean's dining with the President, Col. Burr's being closeted with the President before the dismissal of Mr. Pickering from office, Mrs. Adams saying that the President found it necessary to displace Pickering or give up the Presidential chair, are all false and malicious fabrications; that this English party was well known, was known to his (Noah's) keen penetration four years since, &c., &c., &c. Can these things be so? or what can be the cause of this mighty change in the political sentiments of friend Webster? Yours sincerely,

TIMOTHY PHELPS.

TO MRS. WOLCOTT.

WASHINGTON, July 17, 1800.

In my last, I mentioned my intention of visiting Alexandria and Mount Vernon, which I have since done. Alexandria is a beautiful place. It is situated on a plain, covered on the west by rising grounds, from which the prospects are delightful. The town contains about six thousand people; it is well built, and the streets are well paved. The plan is like that of Philadelphia, but the squares are smaller and the streets wider; of course there are not any narrow, dirty alleys, in consequence of a division of the squares. This place would have been established as the seat of government, if Gen. Washington had not been confined to a choice on the east side of the Potomac. I dined on Saturday with Dr. Craik, who is one of the antient and best sort of gentlemen, of mild and amiable manners; in short, such a man as the friend of Gen. Washington ought to be.

The lands on the road below Alexandria to Mount Vernon, are in general stiff, dry, and unproductive. You ride three miles through forests on the Mount Vernon estate, before the mansion appears, which is still more venerable than my imagination had painted it. In the buildings, walks, and gardens, and in every disposition for the accommodation of a numerous household, traces of the character of the incomparable Washington may be discovered. Here, elegance is combined with utility; here, magnificence is disencumbered of ostentation.

Mrs. Washington received me with great cordiality, and enquired after you and the children with lively affection. She appeared to be grieved that you were

not of the party. Her mind is generally serene, but the decay of strength, the increasing marks of age, and occasional suffusion of countenance, plainly show that the zest of life has departed. Mrs. Peter and Mrs. Lewis, with their husbands and children, Miss Dandridge and a Miss Henly, (relations of Mrs. Washington,) were at Mount Vernon. Mrs. Peter has two daughters and a son, and Mrs. Lewis a daughter, all fine children. The ladies enquired after you; Nelly, though a matron, appears friendly, amiable, and gay as formerly. Her attachments to her old acquaintance remains undiminished, and she mentioned her desire to renew a correspondence with you. If you can without too much fatigue, I wish you to write to her and Mrs. Washington.

If Mount Vernon could remain as at present, if the trees which shade the tomb at the foot of the lawn could be preserved in immortal verdure, if the unfinished improvements could be protected from further decay, no other monument than what now exists ought to be desired by either friendship or patriotism. The works which have been completed, indicate the mind of their late master, while those of which the designs only remain, prove that death arrested a persevering progress towards perfection.

I rejoice to hear of your health, and that of our children; you are much in my thoughts. I am more and more satisfied that I must turn my attention to some private business. The post in which I am placed, will, I am certain, be soon untenable. * * * *

TO JAMES McHENRY.

WASHINGTON, July 18, 1800.

I have received your favour of the 16th. Mrs. French's demand for house rent, will be paid to her out of the fund for contingent expenses of the War Department, so that you need give yourself no further trouble on that account. The great extent of space over which we travel, has hitherto prevented me from obtaining much information of what is going forward here. I understand, however, that it is said by the "Adamites," that the President will have all the votes of New England, except in the State of Connecticut; the loss of which they are pleased to attribute to me. I feel much honoured by the supposition that my influence is sufficient to produce so great an effect. Some of the leading men in Maryland have, I understand, expressed their opinions very correctly and decidedly. If you will but do your part, we shall probably secure General Pinckney's election. At any rate, the prospect is almost certain that the country will be freed from the greatest possible curse, a Presidential Administration which no party can trust, which is incapable of adhering to any system, and in connexion with which, no character is safe. I have some reason to believe, from informal communications, that the negotiation with France proceeded slowly; or rather, was suspended, under the pretence that the government was too much engaged to attend to our affairs. If they do not find leisure before the transactions of the month of May are known, our friends, the diplomatic knights, will, I think, return re-infected. General Marshall has been gone about a fortnight, but will soon return. The law character has gone to Norfolk with his lady.

Mr. Stoddert, Mr. Dexter, and myself, govern this great nation; but how wisely, is not for me to determine. We agree perfectly well, hitherto, on matters of business, except that Mr. Dexter appears to have the same ideas respecting the War Department as yourself; he seems desirous of establishing that national school for men of arms, upon which you have heard me converse. A Mr. Barrow, of Cambridge University, is appointed professor in this new University of Mars, and we are to have fifty or sixty young fellows brought here, and educated in the *theory of war*. In short, I do not see but that your good fortune will attend you whether in or out of office; for that fortune is indeed pre-eminently good, which enables one man to devise mischief, and to devolve the execution of it upon another. You will smile at this remark, and I expect to indulge myself with many a loud laugh, after the school is organized.

Adieu; present my respects to Mrs. McHenry, and believe me, with great sincerity, your friend, and obedient servant.

TO CHAUNCEY GOODRICH.

WASHINGTON, July 20, 1800.

I received your favour of June 19, in due season, and have been half vexed that you should be so contented, and good humored. Why cannot you appear to be in the dumps? To write such a letter to a man at the seat of government, is almost as uncivil as the conversation of the fox, to the goat in the well. I shall, however, have my revenge next winter; then I shall be comfortably lodged within half a mile of my office, while the legislators of the Capitoline Mount will be surrounded with mud to an immeasurable distance. Besides, your location has been irreversibly settled by John Adams, President of the United States, while I can move my residence at pleasure. We have heard from Mr. Ellsworth & Co., at Paris, as late as the middle of April. The discussions had been commenced, but nothing had been concluded. I perceive nothing from which an inference can be drawn, how the mission will terminate. Much will probably depend on information from this country, and on the military operations in Europe. I think symptoms of a disposition to gain time, are visible; it is certain that the point upon which we conversed last winter, will be strongly laboured.

Many of the leading men in Maryland, have expressed their opinions that Mr. Adams ought not to be supported; his partisans say that a British faction exists in this country, and that the late measures were calculated to break up that party. This sort of defence will not make any impression here; it proves, however, in connexion with the P's. answers to addresses and toasts, what the object of the P. is. The Boston folks will out-wit themselves; they will bring on a discussion which will expose the secret defects of their chief. What was the object of the New London address? Was it democratic, or federal? What is the present opinion of Connecticut? Is it true that Noah Webster says, that Col. Pickering and Gen'l. Hamilton were improperly biased by British attachments? Who is the writer in the Hartford paper?—and is there any plan settled with respect to the next election?

The law character you mention, has gone to the Capes of Virginia. On his voyage, he will have an opportunity of becoming acquainted with maritime law, as practiced by the sages who navigate Chesapeake Bay; he will be so well qualified for solving our doubts, that we shall not probably stand in need of another counsellor. General Marshall was absent about a fortnight, during which time, Mr. Stoddert, Mr. Dexter, and myself, governed this country. We agreed in every thing except in the qualifications of our dread lord and master. Mr. Stoddert's pain in the side grows worse. He says he must resign next winter. If you let Mary Anne read this letter, tell her not to laugh at it; whatever she may think, it is a sober letter. Give my love to all friends, and believe me, assuredly yours.

FROM GEORGE CABOT.

BROOKLINE, July 20, 1800.

My Dear Sir,

Mr. Ames put into my hands the letter you wrote from Hartford, and I have since received your favour of the 18th June, from Philadelphia. Let me repeat to you now, the wish which is daily expressed by your friends here, that you will not quit the Treasury, while a just sense of character will permit you to remain. Doubtless a man may act independently in office as well as out, and he can only be made responsible for his own individual opinions and those acts which he approves. If you were out of office you would not wholly avoid the anxiety which you now feel for the national welfare and the dignity of the government; and although you would escape some mortifications, I doubt, on the whole, whether you would then allow them as much weight as you do now. It is, and must be the fate of every man of sensibility to suffer in the public service. If the cause of the present chagrin were removed, I apprehend no less would proceed from other sources inherent in our system. I lament that for the sake of the public, and for your own sake, you were not born under Saturn instead of Mercury, and that your nativity was not in Germany, where a good stock of phlegm would have been nourished in your constitution. But these things cannot be altered, and it only remains to accommodate to them. The public feeling is opposed to the censure of Mr. Adams in this quarter; some good men are very reluctant to admit his unfitness for his office, because to admit it is to admit the necessity of a change, which involves the idea of disorder, discord, and turbulence, which they desire to avoid. It is impossible, however, that Mr. Adams should govern as a federal man, and this must be seen presently by all sagacious men, who attend to political affairs. It is evident Mr. Adams calculates upon engaging the force of the passions and prejudices of the populace on his side, and with this reinforcement to overcome or beat down his federal opponents. He has lately toasted men whom he has hated or despised these fifteen years, and I am told he talks of his late friends as men either afraid of the English, for which they ought to be treated as cowards, or devoted to the English, for which they ought to be branded as infamons; but for himself, he sees no evil to be apprehended from a war with England, and is ready to meet it. I don't

think it much proof of the courage or philosophy of a man to be indifferent to the dangers and sufferings of others, especially if he may be likely to profit by them himself. I readily conceive that Mr. Adams, by rousing the spirit of animosity against the English, which only sleeps in the bosoms of our people, may secure his re-election, and a double portion of power with it. This suspicion is so natural that it will be felt by many men who know how much we have to lose, and how little to gain by a war with England. Great efforts are making to persuade our people that they ought to throw away votes at the election, lest Mr. P. should be made President, but no satisfactory opinion can be formed of what Massachusetts will do. If it could be made to appear that the election of Gen. Pinckney would secure our internal tranquillity, our legislature would, I think, appoint electors, who would contribute all in their power to the attainment of that object. But it is seen that if Mr. P. is chosen he will enjoy but little support from those who are now devoted to Mr. Adams. Perhaps he will be opposed by them, and doubtless he will be opposed by the Jacobins. There are even men among the federalists who prefer Jefferson to a *federal* rival of Mr. A., and there are some certainly who would prefer Mr. J. to Adams. The The motives of these various parties are too obvious to need explaining. There seems to me only one sufficient reason for the good men to exert themselves in favour of Mr. P., in preference to both the others, and that is, in case of success they will then be again, where such men always must wish to be, arranged with their chief on the side of the constitution and the laws.

I have not yet waited on the President, and think I shall not. When a man in his station attempts to render odious those who differ from him, by imputation, which he cannot possibly believe, he certainly discharges them from all obligation of *extraordinary* respect. At present, therefore, I feel at liberty to stay at home, though perhaps I am not bound to. With unfeigned esteem and respect, I remain your faithful friend,

G. CABOT.

FROM JAMES McHENRY.

BALTIMORE, 22 July, 1800.

(Private.)

My Dear Sir,

I thank you for your letter of the 18th, and the consoling matter it contains, relative to the approaching election. It is not possible, however, for me entirely to divest myself of apprehensions on the subject.

Have our party shown that they possess the necessary skill and courage to deserve to be continued to govern? What have they done? They did not, (with a few exceptions) knowing the disease, the man and his nature, meet it when it first appeared, like wise and resolute patriots; they tampered with it, and thought of palliations down to the last day of the late session of Congress. Nay, their conduct, even now, notwithstanding the consequences full in their view, (should the present chief be elected) in most, if not all of the states, is tremulous, timid, feeble, deceptive, and cowardly. They write private letters. To whom? To

each other, but they do nothing to give a proper direction to the public mind. They observe, even in their conversation, a discreet circumspection generally, ill calculated to diffuse information, or prepare the mass of the people for the result. They meditate in private. Can good come out of such a system? If the party recovers its pristine energy and splendour, shall I ascribe it to such cunning, paltry, indecisive, back-door conduct? Certainly I shall not, but to a kind and watchful Providence alone, who will not punish the many for the faults of the few, who bears with our mistakes, who winks at our weak schemes, who overlooks our feebleness and follies, and who guides unerringly and according to the end he has ordained, all the governments of the world. I carry, you see, my religious principles into my politics.

Having thus expressed my decided disapprobation of the system, which it would seem has been adopted through fear and feebleness, I shall now say a few words relative to the state of things and opinions in Maryland, particularly *Idibus Decembris.*

We have not, in this state on any great and critical question, as yet undertaken to play a first part. We have, however, generally speaking, upon such occasions played a proper part. At present, ideas, as far as I can collect them, are exceedingly mixed, fluctuating, and confused. There is a desire among all the federalists to act right, and to place in the presidential chair a truly federal character. Then comes the difficulty. It is believed to have been a point settled by the federal members of Congress, at a meeting held previous to the late adjournment of Congress, that it was expedient that fair and honourable endeavours should be used by them in their respective states to obtain concurrent votes for Mr. Adams and Mr. Pinckney. This resolution is announced to the public by one of the members, who had generally taken a leading part in most debates in Congress on measures of importance, in a letter addressed to his constituents, and published after the adjournment of Congress, with this further information, that it was the wish of the meeting Mr. Adams should be President.

Such is the information before the people of Maryland. If, therefore, the eastern states remain silent upon this subject, or if no contrary impression by prominent characters is publicly divulged from any quarter, what can be done here to obtain a superiority, or even an equal number of votes for General Pinckney. Can we of this state feel assured that the voters in one eastern state, and a majority of the voters in another state nearly eastern, will omit Mr. Adams entirely? And is it certain that four of the eastern states will give as many votes for General Pinckney as for Mr. Adams. All this must happen to provide against the necessary operation of the wish of the members of the caucus.

Mr. Harper is now clearly of opinion that General Pinckney ought to be preferred. Whether this will produce any effect I know not.

It is still uncertain, and must remain so for some time, whether the votes for President in this state, will be by electors, chosen by the people under the existing district law, or by electors, to be chosen by the general assembly, as we denominate our legislature. The latter mode, which seems to be generally desired by the federalists, is universally deprecated by the opposition party. The election for members of the House of Delegates, it would appear, will be fought upon

this ground, and should the federal side be successful, by a commanding majority, it is thought the Governor and Council are disposed to call the Assembly together by proclamation.

Were the votes to be given *now*, by electors chosen by the General Assembly, I think it possible Mr. Adams and Mr. Pinckney would each have the whole number of votes. On the other hand, if by electors to be chosen by the people, each would have three or four votes less, but perhaps each an equal number. You must be thoroughly sensible how difficult it must be to counteract what appears to have been a well matured system, devised by enlightened men, in possession of general facts, by any efforts or information of solitary individuals. I may possibly satisfy some of our most prominent characters that the peace and prosperity of our country have been brought into jeopardy by the present chief to answer electioneering purposes; that under a government dissimilar from that of the Prussians, and with talents of a very different cast from those of the Great Frederic, like him he would be every thing, and do every thing himself; that he wants the prudence and discretion indispensable to enable him to conduct with propriety and safety even the colloquial intercourse permitted between a President and foreign ministers; that he is incapable of adhering to any system, consequently must be forever bringing disgrace upon his agents and administration, that his foibles, passions, and prejudices, are of a stamp which must expose him incessantly to the intrigues of foreigners, and the unprincipled and wickedly ambitious men of either party; and that the high and dearest interests of the United States cannot possibly be safe under his direction.

Shall I acknowledge to you that I fear, though some men among us, of some influence too, may not have been able to resist such convictions, yet that they talk about the policy of giving him a vote with General Pinckney, and if electors, may possibly do so.

I am, perhaps, in this case, too suspicious, and draw my conclusions more from the knowledge I have of the future views of such men, than a reliance I ought to have upon their good sense and patriotism. Adieu, sincerely and affectionately,

JAMES McHENRY.

FROM FISHER AMES.

DEDHAM, July 22d, 1800.

My Dear Friend,

By this mail I enclose two Centinels and a Commercial Gazette. In that of the 5th July (a Centinel) you will read the *Massachusetts Federalist*, the object and full interpretation of which you will instantly see. In that of the 12th, is an answer reprinted from the Chronicle, addressed to me by name. In yesterday's Gazette is *Junius Americanus*. I beg your attention to them all, to discern and judge for yourself the temper and conduct of parties. I think you will see a design on one side to establish a system of terror, to appeal to the people against the high flying feds, to use local and personal influences to the utmost, and even to resort to pity for forgotten services, sacrifices great and unrewarded, insults

unmerited and base. All this, too, in a scene where whispers have been low, for fear of raising a clamour that the whisperers are foes to. Now these questions occur, will the sort of feeling that is in Boston and its vicinity, no matter whether art or prejudices raised it, spread in the state? Will not the members of the General Court, half afraid of having done too much by taking the election from the people, be afraid to do the very thing they did the first to bring about? Will they dare to choose electors who will not throw away votes? I am not able to conjecture. They *were* right, but art and industry will be exerted to make them wrong in November. As the bold tone of these folks intimidates *trimming* feds, (if such creatures can be); as sober, good men cannot see how the cause can be separated from the man, and as the attacks of those writers indicate a violent war, will not prudence, will not self defence, call for a change of conduct on our part? Will not an exposure of such things as would surprise and mortify, become necessary to prevent the public from being deceived, and in consequence entirely separated from its best friends. Friends whom ambition or resentment have not made the opposers of the person in question. These inquiries may seem to militate very much with the sentiments of my letter to Mr. Goodrich. I take no pains to appear consistent; as things appear when I write, I represent them to you. On execution, the decision of the point in this state would be less favourable to discussion than Jersey or Connecticut. Yet I will not pretend that I have made up my opinion as to the most successful mode of avoiding the great evils with which our country is certainly threatened. I wish you health and happiness, and am, with sincere esteem, yours, &c.,

FISHER AMES.

FROM WILLIAM BINGHAM.

LANSDOWN, July 23, 1800.

Dear Sir,

The Directors of the Bank are impressed with the necessity of having an agent in the city of Washington, to superintend the various business of the institution, (connected with the affairs of your department) which will necessarily arise from the removal of the seat of government. An active, intelligent, and confidential character is wanted. His time will not be much occupied by an attention to such subjects at present, nor except the business increases, will it at any time be altogether absorbed by it. Until experience points out a plan of a permanent nature, a suitable person might perhaps be found amongst the clerks in your office, to whom the bank would allow a reasonable gratification, for any services he might perform. My attention was turned to Mr. Jones. You can easily determine whether such an appointment would suit him, and at the same time not interfere with his present duties. Mr. Meredith's name was mentioned on this occasion. I suppose you have been furnished with sufficient data to form an opinion with respect to the result of the Presidential election. Mr. Church who accompanied Gen. Hamilton, on his eastern tour, informs me that the vote of Rhode Island will be given to Mr. Adams, not to General Pinckney, probably to Mr. Jefferson. Can this be true? I find Pinckney obtaining the votes

of South Carolina, since the opinion prevailed that he was sure of all those of New England. If this state should have any agency in the election, which I do not suppose will take place, its votes will be equalized from the preponderance which the parties reciprocally possess in the two branches of the legislature. Every effort must be made to exclude Mr. Jefferson. In the present state of European politics, considering the tendency it would have to increase the indisposition of one of the great maritime powers towards us, his election would prove fatal to our tranquillity, so far as relative to our foreign relationships, independent of the ruinous circumstances resulting from an invasion, if not an overthrow of the principles which have guided the administration, since the establishment of our government. It is said that despatches have arrived announcing the treaty in a state of great forwardness, with the prospect of a favourable result to the negotiation. In the collection of the direct tax I do not think that the agents who are employed have altogether adhered to the provisions of the act, with respect to the notification of the parties as the law directs, previous to their incurring the penalty of eight per cent. for their delinquencies. I am aware of the difficulty of accommodating the collection of this tax, to the various modes which prevail in the different states, but whatever indulgences the law provides, ought to be allowed. With sincere regard, I am, dear sir, yours, &c.,

WM. BINGHAM.

FROM THOMAS FITZSIMMONS.

PHILADELPHIA, July 24, 1800.

My Dear Sir,

I thank you for your letter of the 17th, and am only sorry you had it not in your power to give me more satisfaction. Our affairs indeed are in an awkward situation, nor does it appear to me probable, that such an interest among the federal people can be obtained, as will insure the object we have in view. Without the unanimous vote of Massachusetts for General Pinckney, his election must be lost. If I can credit answers from South Carolina, he will be disappointed there. My information in that respect is not entirely to be relied upon. In this state we shall either have no electors, or they will be hostile. It is a determined point not to call together the old legislature after the new election; it is just possible if they are immediately called, to give them time to choose by joint vote. If the governor believes the return favourable to his views, he may, and I doubt not but that he will make the attempt, if otherwise, he will avoid that measure. Maryland, I am taught to believe, will choose their electors by the legislature, and in that case they will be unanimous. I have before advised what is expected of New Jersey, so that you see the only chance there is of Pinckney's succeeding is in the conduct of the eastern states; from every information yet received, it would appear that they will at best be divided, and if so, Jefferson's interest must surely prevail. I really know not whether we shall be much worse off with him than with the present man; we have to fear from either the destruction of our government. It is a truth, and a melancholy one too, that the government of this country cannot be carried on without attaching it to one

of the two parties. You mention that Mr. Adams cannot secure the support of either, and Jefferson will throw himself absolutely upon those who have ever been hostile to the constitution and administration. They have not among them men of sufficient talents and activity even to execute their own plans, and their predilection for French politics will inevitably embroil us with England. To me it appears strange that the British ministry have never thought it their interest to try and conciliate this country; they cannot be uninformed of the state of parties here, or insensible to the advantages they derive from a good understanding with us. A very considerable portion of the commerce of this country is carried on with their manufacturers, and the payment for these insures them no small proportion of our exports. With all this their conduct is invariably cold and suspicious. They even never miss an opportunity of circumscribing our happiness, and though they may not directly sanction the depredations of their cruizers, they certainly take no pains to prevent them. I am not without my apprehensions too, that their necessity as well as their monopolizing spirit will, when there is a peace, draw a circle round our commerce, that for a time at least, will narrow it down to a very small compass. They have both the East and West Indies, and may exclude us from them both. On the side of the French we have to fear the total destruction of our government, and if we are on terms with them, their emissaries will insinuate themselves into all our affairs, and by flattering the prejudices of the multitude give such a direction to our feelings, as will answer their purpose from this state of things. There is, however, one mode of extricating ourselves, if we have the sense and spirit to avail ourselves of it. If the British restrict our trade, let us meet them with restrictions on our part, and if we cannot find employment for our capital in commerce, let us employ it in either agriculture or manufactures. Attached as I am to commerce, I would rather it see it abandoned, than be dependent on any European nation; I am persuaded, however, that if we had a firm administration, and were in any degree united among ourselves, we could make terms that would leave scope for our enterprize, and preserve our independence; but it appears to me that the want of these two essential things will deprive us of the benefit of our situation. The settlement of the country on the waters of the Mississippi is becoming an amazing object; that country is found to produce most of the articles found in tropical climates, and its population will before long, put the Spanish dominions in South America in our power. Is it possible to believe that with proper exertion, we could not at this moment dictate a treaty with Spain, that would give us an intercourse with the colonies on the continent, when we know that the British trade there under passports from both countries; or that the British would dare to enforce the restrictions upon us now practised in her West India possessions, when they are depending on us for bread? I cannot help thinking that our foreign relations have *always* been very much misunderstood or neglected, and that with better men than most of our ministers are, and a sufficient attention on this side, these affairs could be put on a better footing. That temporising disposition which we have shown, has not only lessened us in the eyes of the European nations, but even in our own country. If our affairs fall into the hands of Jefferson our humiliation will be complete; he has not energy enough to execute his plans, and if he looks

to Virginia for executive assistance, it will not be found. I very often think of the saying of Baron Steuben, that he knew but two persons that were fit to execute public business in Virginia, Col. Carrington and Mr. Bird, and I can say I never found one of them in public that had industry enough to their duties. With these impressions, I own, I almost despair. Indolence or avarice seems to have rendered the great majority of this people unfit for popular government. We are very great advocates for it as far as talking will go, but when we are called upon to act we shrink from our duties. In this great city of 60,000 inhabitants, not a man is to be found who is fit for the station, who will accept the nomination for Congress (of the federal party); perhaps when we feel the consequence we may be better disposed. I hear from England that ——— is gone to France, and means to make the tour of Europe. Having no intimacy with Mr. Marshall, I cannot undertake to mention the subject to him; with you I may say, that so long as our government will continue his appointment, he will indulge himself in dissipation and pleasure, with but little attention to business. His steps will be commented on, and it may save reflections on those who sent him, to direct his return, if he cannot be useful there. I know this is not in your department, and leave you to judge whether it is proper to mention it. Excuse the length of this desultory letter. I do not wish to tax your time for an answer, but when anything occurs worth troubling you with, I will take the liberty to write you, being with very much sincere regard, dear sir, your most obliged servant,

THOS. FITZSIMMONS.

The following letter and its explanation may excite some amusement, as a serio-comic interlude among the grave affairs of state.

FROM RUFUS KING.

LONDON, 24th March, 1800.

(Private.)

Dear Sir,

James Buchanan, an adopted American, by birth Scotch, and who has lived many years as a merchant at Baltimore, has lately arrived in this country with the expectation of settling his affairs, which are much deranged. He speaks of having been much acquainted with Mr. Liston, as well as his confidential correspondence. I have myself heard him express sentiments to this effect. In conversation, he is loose, unguarded and imprudent, and from what I have heard of him, unworthy of confidence. He shows several letters from Liston to him, and most probably received from him introductions to some subordinate men in office in this country. Having heard of the extraordinary tenor of some of Mr. Liston's letters to Buchanan, I have been desirous of obtaining a sight of them, but as Buchanan has been admonished that they were of a delicate nature, and will naturally be on his guard against me and my particular friends, I may be disappointed. I have however obtained, and now send you an extract from one of

them, that will not fail to excite the same indignation in your mind that it has produced in mine.

You may give unreserved credit to the authenticity of the letter, as well as to the fidelity of the extract. I desire that it may be communicated to your colleagues, whom it names, and also to the President, if you and they think it proper. From the looseness and indiscretion of Buchanan, it is possible the letter may fall into hands disposed to make an unfriendly and mischievous use of it.

Whether you will openly reproach Mr. Liston with his vanity and falsehoods, or observe towards him a reserve that his imprudence renders indispensible, is a question of some difficulty. Unless you shall see some advantage in making use of my name, it may be as well that I remain out of sight. From this specimen of Mr. Liston's sentiments, we can be at no loss to conjecture the tenor of his public despatches, nor of the erroneous and mischievous opinions they are likely to create here. With sincere attachment, I have the honour to be, dear sir, your obedient and humble servant,

RUFUS KING.

(Extract.)

PHILADELPHIA, 19th July, 1798.

"We ourselves are anxious to change the scene; and if the President goes to Boston, as we flatter ourselves he will, about the latter end of this month, we shall follow him as soon as possible. You know, as the House of Representatives are no longer in session, I have no more taps on the shoulder to give for the present. I must now endeavour to lead Mr. Adams by the nose, (which is not a task of such facility as some folks imagine), and, with this view, I propose to fix my quarters for some time at Braintree.

You might, perhaps, suppose I should be as well employed in holding conferences with my bosom friend, the Secretary of State, or in keeping Oliver Wolcott and Mr. McHenry right; but they are all so staunch that I have now no occasion to look after them; they are ready to go as fast and as far as I wish them to go. You will observe that I have also got General Washington to accept of the command and to write a proper letter. I thought it essential he should give an unequivocal approbation of the President's conduct, and touch up the Directory. I had prepared all this in the autumn last year.

In short, my dear sir, I am the most successful and effective fly upon the wheel that ever pretended to raise a dust on any road in any part of the world. Everything will soon be so completely in train that I shall have nothing to do but run about and see my friends."

TIMOTHY PICKERING TO JACOB WAGNER.

PHILADELPHIA, June 26, 1800.

Dear Sir,

I received your favour, enclosing the report, &c., concerning Jacob Mayer.

Respecting Mr. King's private letter of March 24th, 1800, concerning James

Buchanan of Baltimore, and the extract of a letter dated July 19th, 1798, from Mr. Liston to him, I wrote you lately that, but for Mr. King's assertion, *that I might rely on its authenticity*, I should not believe that Mr. Liston had written it. Upon my stating its contents to Mr. Wolcott, he deemed it impossible to have been a production of Mr. Liston; but, showing it afterwards to him and Mr. McHenry, the latter pronounced the extract as unquestionably genuine, but a mere piece of sportive irony. Mr. McHenry used constantly to read the *Aurora*, and recollected that there I was called Mr. Liston's bosom friend; that it was asserted that he led the President, Mr. Adams, by the nose; that he tapped members of Congress on the shoulder, &c. However, although this explanation was satisfactory, yet it was deemed by us prudent (especially as Mr. King wished to be kept out of sight) that Mr. McHenry, who was from Baltimore and knew Buchanan, should copy and show the extract to Mr. Liston. He accordingly waited upon him, and the enclosed copy of Mr. McHenry's letter to me shows the result. I have only to add, that yesterday Mr. Liston called and showed me Buchanan's letter (reading several passages in it) to him, which naturally led to the kind of answer which has produced such disagreeable sensations, on the supposition that it was not only genuine, but *serious*. As such, it is plain Buchanan exhibits it in London, where he is gone to restore his mercantile credit, if possible, and where (independently of his being an indiscreet and loose character, as Mr. King justly remarks) he might wish to give himself some importance, by showing that he corresponded with the British minister in America. To account for any sort of connexion with him, Mr. Liston observed to me that Buchanan was from Glasgow, where his friends were respectable and the acquaintance of Mrs. Liston; and from those persons Mr. and Mrs. L. had letters to Mr. B., who was very attentive to them when at Baltimore. Buchanan was fond of writing letters. He wrote a number to me within a year past which I never answered. McHenry tells me that he frequently wrote to him, and that he answered about once a year. Thomas Buchanan of New York, a *steady*, worthy man, was a particular acquaintance of mine. James B. is his brother, and on this ground, I suppose, thought proper to attempt to draw me into a correspondence. J. B., in his letters to me, discovered, I remember, much zeal for the federal cause. I suppose Mr. Marshall has read Mr. King's letter. He ought also to see the solution. So should the President, if he has seen Mr. King's letter, or if its contents have, by Mr. Lee or any one else, been mentioned to him.

The day after to-morrow I proceed with my family to Easton. I remain affectionately yours,

TIMOTHY PICKERING.

JAMES McHENRY TO TIMOTHY PICKERING.

PHILADELPHIA, 24 June, 1800.

Dear Sir,

I saw this morning, and showed to Mr. Liston, the extract of the letter which you communicated to me last evening, dated Philadelphia, 19th July, 1798, transmitted for a letter written by him to James Buchanan, late of Baltimore.

He scarcely had read two lines, when he said he wrote the letter; he had not finished half of it, when he presented it to me, saying, "must not every one perceive that it was mere badinage; that the tap on the shoulder, the bosom friend, and leading of Mr. Adams by the nose, were allusions to what he had been accused of by the opposers of government in the papers; and that the observation of the fly upon the wheel must satisfy the most prejudiced that it was a letter of sport merely." I observed that I had so considered it, and that, as it respected myself, I was perfectly satisfied. It was certain, however, that the contents of the letter made a different impression in London, where it had been shown as a confidential letter, and where the circumstances which gave rise to the allusions were not known; and that when these should be forgotten in this country, it might be used by disingenuous men to effect party purposes.

I asked him if he had preserved Buchanan's letters, which might serve to show, in case of need, that it was a mere sportive effusion; that if so, I thought it would be proper he should communicate them to Mr. Pickering, who stood most prominent in the piece. He did not know, but would examine. I am, dear sir, yours truly,

JAMES McHENRY.

TO WILLIAM BINGHAM.

WASHINGTON, July 28, 1800.

* * * *

Despatches have been received from our ministers in France, dated about the middle of April. Nothing had then been done; the information amounts simply to this, that discussions had been commenced and conducted with civility, but it was entirely uncertain whether the dispute would be settled. I suspect, though I know not with what reason, that the negotiations will be considerably protracted. Your information is, I presume, equally correct with mine, respecting the probable issue of the Presidential election. If Pennsylvania does not vote, and Gen. Pinckney is not generally supported by the federalists, there will, according to present appearances, be no choice. The course of events, and the timid, wavering conduct of some federalists, are, however, in my opinion, silently but powerfully operating in favour of Mr. Jefferson. I have formerly very frankly stated to you my opinion on this subject, and it remains unchanged. I cannot foretel what miracle Providence may perform in our favour, but humanly speaking, the victory will be won by the party which conducts its affairs with the greatest skill, consistency, and courage, and these advantages certainly belong to our opponents. In the best of times, the federalists were scarcely able to support their system; now, they are divided, and it is my opinion they can never be reunited upon any plan which will in any degree substitute the interests of an individual for the honourable principles by which their party has professed to be governed.

FROM CHAUNCEY GOODRICH.

PHILADELPHIA, July 28, 1800.

My Dear Sir,

I send on a packet with a letter from Mr. Ames; the latter I have read, according to your directions when here. The papers he refers to, disclose no more than what has been perceived for weeks past, from conversations, stories bandied about, toasts, the puny and envious feds rising up to pull down the high-minded and large sized ones. Whatever appearances may be at first, it will not ultimately succeed. All that they or the Jacobins can do, is to cast a temporary cloud around the best and ablest friends of the country. A disclosure of the kind Mr. A. [Ames] speaks of, will not do here. The time is passed, if it would have answered, six weeks ago; and then it would not have answered without an active and extensive co-operation elsewhere. On its being discountenanced in Massachusetts, there was an end of the business. I do not pretend to say they did not judge right, for really there exists among the people of that state a blindness and cullibility exceeding belief. Here, and through New England is enough of both. I am, however, of opinion, that Mr. Pinckney will be voted for in Massachusetts, and Mr. A. in this state; there is, however, little or nothing on which to found opinion. The public mind is puzzled and fretted. People don't know what to think of measures or men; they are mad because they are in the dark. I shall see some of my friends this week, and will give you a detail how things are working in different parts of the state.

I left Mrs. W. and family yesterday, well and conveniently situated. Mary Anne is with them. I know what vexations you will experience while in your present place; you can't hold it with any satisfaction, and no other man could, on the terms you must, without at least being entangled in some ugly snare. I think you must get ready to quit. Let who will be President, the pride of American character and office for a while must be faded; there is neither object nor reward for your anxieties and exertions. Will it not be best to arrange the business of the department, and quit a short time after the meeting of Congress? You will ask what you shall do? Get a small farm in this state and look about you. I will talk with some friends who love and feel for you, and write more. Let me hear from you. Affectionately yours,

CHAUNCEY GOODRICH.

TO BENJAMIN GOODHUE.

WASHINGTON, July 30, 1800.

* * * *

Your letter affords me some consolation; I hope the result will be as you suggest,[a] but I fear that the measures of the Federalists are too indecisive. It is

[a] Note to the original letter in the hand writing of Benj. Goodhue. "Alluding to information that probably all the votes would be given for Mr. A. and Mr. P. in Massachusetts, and the hope that Mr. P. would be elected."

certain that attempts are made, and with some effect, to impress an opinion that a British party has existed in the public councils, and that the late measures of the President were taken to destroy the influence of this party. Here it has been said, that no persons are dissatisfied but Jacobins and British partisans. I perceive, moreover, that the allusions to the events of the late war, in toasts and answers to addresses, are understood as deliberate attacks on the political sentiments of gentlemen who have been the ablest supporters of the Federal system, and the President's administration. If this game is permitted to succeed, I shall be much astonished. The assertion that the Federal system has been influenced by British interests and politics, has ever been considered as the most atrocious of Jacobin calumnies. No individual has been more vehemently accused of British predilections, than the President himself. The charge has been repelled with proper firmness. Is he now to conciliate enemies at the expense of the characters of his friends? I trust the attempt will fail; but if it should so far succeed, as to give the President new influence, he will certainly soon find that he has made a poor exchange, by renouncing character for fictitious popularity.

TO JAMES McHENRY.

WASHINGTON, Aug 2d, 1800.

I have received your favours of the 22d and 31st, and have enclosed your letter to G. P. We have nothing new. The eastern people have a vague idea that something is out of joint, and begin to grow mad that they are not better informed. I think that the elements are fermenting, and that you will see sport presently.

FROM JAMES McHENRY.

BALTIMORE, 2d Aug., 1800.

(Private.)

Dear Sir,

I recollect that you called upon me, at my office, a short time previous to my final retirement, or seclusion from the superintendence and direction of the Department of War, which took place on the 1st of June last, but subsequent to the declaration of my intention to the President, and his acquiescence, and informed me you had just left the President, who had expressed himself to you in favourable terms of me.

As in the course of events, incidents may arise which shall give rancour to disappointed ambition, and cannot fail to excite the resentment of a weak and intemperate mind, I could wish to provide myself with such means of defence against possible future attacks upon my official character, as can be obtained with propriety.

In this view, it is that I could request permission to ask of you a statement of that part of the conversation alluded to with the President, which related to me; including, as far as your memory will now serve, every particular, with the

precise expressions, if recollected, and discriminating between those which respected the man as an individual, and as an officer of government.

Your compliance with this request, if your own correct ideas of propriety and honor will permit, will much oblige your very sincere friend and humble servant,

JAMES McHENRY.

FROM FISHER AMES.

DEDHAM, August 3d, 1800.

(Private.)

My Dear Sir,

You will, at length, clearly discern in the gazettes, the whole plan of a certain great man. It is, by prating about impartiality, Americanism, liberty, and equality, to gull the weak among the feds. Half the wealthy can be made to repine that talents without wealth, take the right hand of them. Purse pride works in Boston. They are vexed that an Essex junto should be more regarded, than the men whose credit in money matters so far outweighs them. The virulent invectives of ——, against the British partisans, will please the silly feds, and the cunning Jacobins. These latter well know that such things divide only the former; themselves are as fixed as vice. The federalists scarcely deserve the name of party. Their association is a loose one—formed by accident, and shaken by every prospect of labour or hazard. Such appeals, therefore, to the shallow, the timorous, the envious, the credulous, are always made with some effect. *This man*, I hear, says that the Jacobins will not vote for him. It is therefore, he says, absurd to charge him with courting, or intending to join them. But it is evident from Junius, and other essays, (all of them ill written) that his friends rely on making a third party, neither French nor English—neither federalist nor anti, but *constitutionalist*. This will not form a third party, but it may baffle the federal party. Perhaps a party, whenever it thinks itself strong, naturally splits; nothing but dread of its rival, will bind it firmly enough together.

What is to be done in Massachusetts?—what in other States? Already B. Hichborn gives J. A. the first toast at his table; and no doubt he thinks to get the popularity that the Essex junto will lose, and rejoices in the good luck the crisis seems to bring him, of being in better company than formerly; but I think the Jacobins will not take the offered alliance. They stick to Jefferson, and will not attach themselves to any man suspected of sticking to right principles, though he may in the hour of his necessity, seem to renounce them. It is not impossible, when they see him too far advanced, to go back, when they see him engaged in a war of offence against the friends of the federal cause, that they will take him up as a tool. Jefferson, the first in power, second in place. Is this possible?

Y'r friend, FISHER AMES.

It seems as if Burr would have little chance, unless by forcing a vote from the Jacobins; that would put Jefferson too much at risk. Foreseeing this, will he not wish to join some other candidate who may need him, and whose friends could make him stand a better chance of being second? He is like Lord Stanley at the battle of Bosworth, ready to act according to circumstances.

FROM ALEXANDER HAMILTON.

NEW YORK, Aug. 3, 1800.

Dear Sir,

I have two days since, written to Mr. Adams a *respectful* letter, on the subject I heretofore mentioned to you. Occupations at court, prevented its being sooner done.

But I wait with impatience for the statement of facts, which you promised me. It is plain, that unless we give our reasons in some form or other, Mr. Adams' personal friends, seconded by the Jacobins, will completely run us down in the public opinion.

Your name, in company with mine, that of T. Pickering, &c., is in full circulation as one of the *British faction*, of which Mr. Adams has talked so much.

I have serious thoughts of giving to the public my opinions respecting Mr. Adams, with my reasons, in a letter to a friend, with my signature. This seems to me the most authentic way of conveying the information, and best suited to the plain dealing of my character. There are, however, reasons against it, and and a very strong one is, that some of the principal causes of my diapprobation, proceed from yourself, and other members of the administration, who would be understood to be the sources of any information, whatever cover I might give the thing.

What say you to this measure? I could predicate it, on the fact that I am abused by the friends of Mr. Adams, who ascribe my opposition to pique and disappointment, and would give it the shape of a defence of myself.

You have doubtless seen the Aurora publication of Treasury Documents, and the manner in which my name is connected with it. These publications do harm with the ignorant, who are the greatest number. I have thought of instituting an action of slander (to be tried by a struck jury) against the editor. If I do it, I should claim you, and the supervisors, collectors, and loan officers, of all the States from Maryland to New York, inclusively, as witnesses, to demonstrate completely, the malice and falsity of the accusation. What think you of this? You see I am in a very belligerent humour.

But I remember that at the outset, before the sums payable for interest, pensions, &c., were ascertained, I placed the money in the hands of the paying officers upon estimate, and to avoid disappointment, I made the estimates large. Pray look into this, and see how far it may give colour to the calumny.

Let me hear from you soon. Yours, very truly,

A. HAMILTON.

FROM WILLIAM BINGHAM.

PHILADELPHIA, Aug. 6, 1800.

Dear Sir,

I have received your favour of the 26th July. A committee has been appointed by the Bank, to report on the propriety of establishing an agent at Washington; to designate his duties, and fix his salary, as well as the extent of security

that will be required for the faithful discharge of his trust. From the view you have taken of the subject, you will probably be enabled to give such information to the committee on these points, as will furnish data to form a correct report, which I will thank you for, when convenient. Mr. D's. name has been mentioned at the Board; he is a gentleman who is held in very high estimation; but it is said he is in very embarrassed circumstances, which if true, may be a very serious objection to his holding a place of so much responsibility. You can perhaps inform me on what ground such a report prevails, and whether, if there is room to entertain it, there is a prospect of his being able to remove the difficulties arising from this source. From my knowledge of this gentleman, I am well disposed to favour his pretensions, and promote his views. I fully agree with you, respecting the disunited, and disarranged state of the federal party. From the recent accounts I have received from various parts of the Union, I am persuaded that no system will pervade its conduct, and without this, it is impossible to ensure success. I shall use my best exertions to strengthen, and support our tottering cause, and shall animate others to do the same; and flatter myself, notwithstanding our at present dreary prospects, we shall at length succeed. With sincere regard, I am, dear sir, your obed't serv't,

WM. BINGHAM.

FROM EBENEZER HUNTINGTON.

NORWICH, 6 August, 1800.

Dear Sir,

Your favour of last month, covering an extension of time to the Mr. Cobbs, for finishing arms for the United States, came duly to hand. Your question respecting the address of M., whether it was dictated by federalism or democracy, had been asked by me, of General Jedediah Huntington, previous to the receipt of your letter, and answered by him, to have been federal. There is a change of opinion effecting among the people of this State; and at present, I am doubtful what extent it will gain. There are many who have heretofore assumed the character of federalists, who have lately shown themselves democrats, and are high in their commendation of Jefferson, in hopes to partake of the loaves and fishes, which are to be distributed by the new President. These persons operate on the weak minds and weak nerves, of those who never think for themselves. I do not believe it possible that as many democrats can obtain seats in the legislature next October, as to prevent this State's having a vote in the election of President; but very many are flattering themselves with the idea that a majority of the lower House will not vote for electors who will support Mr. Adams, or Mr. Pinckney. I feel much obliged to you for your expressions of personal regard, which you are pleased to express for me in you letter. From recent information I have had from Boston, I find great efforts will be made to have their electors throw away part of their votes, fearing that Mr. Pinckney will obtain the Presidency by their *faithful agreement made at Philadelphia* last May. I consider the United States placed in a very critical situation at the present time; and what the result will be, is very uncertain. A petition was forwarded from

this town last week, to the President, to obtain a pardon for Isaac Williams, now confined in Hartford goal, for accepting a commission from the French, and cruising against the inhabitants of these States. I am, dear sir, with much esteem and regard, your very humble servant,

EBENEZER HUNTINGTON.

FROM URIAH TRACY.

PITTSBURGH, Pennsylvania, 7th August, 1800.

Sir,

I arrived in this town on the 14th July, and with the honourable Mr. General Wilkinson, concerted a plan for my journey; which plan is, that I go from here to Presque Isle, on Lake Erie; thence to Niagara; thence to Detroit, and back by Presque Isle to this town; and then go down the Ohio to Fort Washington, and from there take horses and cross Kentucky to the Indian trading houses, &c. To accomplish this object, it became requisite to employ, for water transportation, the sloop Adams, which is a public vessel, and will accommodate for the purpose. She was not at Presque Isle, and not till the last of July or first of August did she leave Fort Erie, at the bottom of the lake, for Presque Isle, where I propose to meet her. I have waited here, in preference to going on to Presque Isle and waiting there, because the fever and ague is sometimes a visitant at the above mentioned place, and because I have had a bilious fever, which rendered it not quite convenient for me to move until about this time. I am now getting confirmed in my health, and it may be fortunate for the rest of my journey that I have been laid by a little time here, as my health will be more substantial. I expect to be back here in three or four weeks from next Monday, when I shall be glad to receive a letter from you. If your avocations in that *splendid city* where you now sojourn, permit I shall be happy in receiving a line from you, when I return to this borough of Pittsburg, which shall be historical, moral, critical, and friendly. The politics of Pennsylvania are such, that I feel myself really happy to have amused myself fifteen or twenty days by a bilious fever, which has in some measure, although not quite altogether, excused me from mixing in those same Pennsylvania politics. Mc Kean's administration has brought forward every scoundrel who can read and write into office, or expectation of one, and the residue of Democrats, with the joy and ferocity of the damned, are enjoying the mortification of the few remaining honest men and Federalists, and exalting their own hopes of preferment, and that of their friends, in proportion as they dismiss the fears of the gallows. In my lengthy journey through this State, I have seen many, very many Irishmen, and with a very few exceptions, they are United Irishmen, Free Masons, and the most God-provoking Democrats on this side of Hell. The Germans are both stupid, ignorant, and ugly, and are to the Irish what the negroes at the south are to their drivers. The Democrats are, without doubt increasing, and the prospect is that the next approaching State election will be much more Jacobinical than the last. They are establishing Democratic presses and newspapers in almost every town and county of the country; and the Federal presses are failing for want of support. Colerick, of Washington, is about to yield, who is, without doubt, one of the ablest Federal

printers in the country ; and without the extraordinary exertions of a few individuals, Scule, of this town, must fall before Israel Israel's son, who has set up a red hot Democratic press and newspaper here, and under the auspices of Judge Brackenridge. The only consolations to be derived from a view of Pennsylvania is, that inveterate evils of every kind have a tendency to their own cure. Mc Kean will, no doubt, call his new legislature together, and attempt to obtain proper electors for President and Vice President, and the prospect is that he will succeed ; but should he fail, he will issue a proclamation, and give this sovereign people a chance to exercise the important right of suffrage. I have been drawn insensibly, into a melancholy discussion, like the Knight of the woeful or rueful countenance ; forgive me this once, and I will promise my next shall be more cheerful. Yours respectfully and affectionately,

URIAH TRACY.

TO FISHER AMES.

WASHINGTON, August 10, 1800.

I seasonably received your very acceptable favours of June 12th and July 22d, but have been hitherto so unsettled or engaged in official business, that I could not return you any thanks. This duty I now perform with sincerity, and unite my wishes with yours "that our republic may live to wear gray hairs and green honours."

I recollect your candid, explicit, (and, as events have shown,) correct delineations of the character of President Adams just before his installation. It was not your fault, nor that of any federal character, that, in 1797, we had no other choice than between Mr. Adams and Mr. Jefferson. I can truly repeat that, before the election, I had obtained no competent idea of Mr. Adams. I was, indeed, astonished at the discovery of his defects, but till lately I flattered myself that the system of government was too firmly settled to be reversed by an individual. I now find myself mistaken, both with respect to the force of his passions and the degree of information and stability possessed by our own party.

The complexion of the Boston papers does not in the least surprise me, and I predict that you will find it impossible to avoid an open discussion unless you are prepared for submission. Nothing is more certain than that the Jacobins, seconded by Mr. Adams' personal friends, will fix the imputation of a British monarchical faction on a number of the most high-minded and independent gentlemen of the country. It is impossible that the people should be made to comprehend why Mr. Adams should be supported at all, unless he is so supported as to place him in the Presidency in preference to any other federal candidate. It is known that many federalists are dissatisfied ; even Samuel Lyman has ventured to publish this truth, and though he says that both parties are honourable men, yet the President's friends assert that all his measures are perfectly consistent and right ; that his opposers are altogether in the wrong—are either Jacobins or factious characters devoted to the British. This tale is openly told here by men who know it to be a calumny, but who perceive its tendency to promote the views of

Mr. Adams by gratifying the prejudices and envy of trimming, weak, or uninformed federalists.

It has been and continues to be my opinion, that we ought in the first place to decide on one object and then avow and pursue it in an open and explicit manner. Is Mr. Adams to be supported as a candidate for the office of President? I must submit to the opinion of others after that opinion has been declared, but at present I must say that Mr. Adams ought not to be supported. My general reason is, that he is incapable of adhering to any political system, and that the characters of individuals and the interests of the federal party cannot be safely committed to his disposal. Wise and honest men may, however, think as I do respecting the weaknesses and defects of Mr. Adams, and still think his re-election a less evil to the country than to incur any risque of the promotion of Mr. Jefferson. As I believe this is the only point on which well informed federalists differ, it deserves a particular consideration.

After the most attentive consideration and enquiry of the Virginia federalists, I have been unable to form a confident opinion of the consequences of the election of Mr. Jefferson. I do not know the compass of his mind; I cannot foresee what assistance he would be able to command, and it is still more difficult to calculate the impulse which his administration would necessarily receive from the passions of his own party. It is probable that Mr. Jefferson's conduct would be frequently whimsical and undignified; that he would affect the character of a philosopher; that he would countenance quacks, impostors, and projectors; that he would cultivate and increase our national prejudices, and so relax the principles of government as greatly to impair its utility as a bond of internal union and bulwark against foreign influence. He would certainly change all the principal officers of government, or rather there is no one of the gentlemen now in office who would serve under him. How their places would be supplied I cannot conjecture, but I know of no individuals of his party in whom are united the indispensable qualifications of character, talents, industry, experience, and integrity. The lower classes of democrats and jacobins would endeavour to render the new administration violent and convulsive, but I believe that in this part of their object they would be resisted. The first disease of our government would be a palsy; if it afterwards perished in convulsions, it would be from previous debility and not in consequence of an over exertion of its strength.

But however dangerous the election of Mr. Jefferson may prove to the community, I do not perceive that any portion of the mischief would be avoided by the election of Mr. Adams. We know the temper of his mind to be revolutionary, violent, and vindictive; he would be sensible that another official term would bring him to the close of life. His passions and selfishness would continually gain strength; his pride and interest would concur in rendering his administration favourable to the views of the democrats and jacobins; public offices would be frequently bestowed on men capable of servile compliances; the example of a selfish attention to personal and family interests would spread like a leprosy in our political system, and by corrupting the fountains of virtue and honour would destroy the principles by which alone a mild government under any form can be sustained.

Let me not be suspected of entertaining the harsh opinion that the gentlemen lately appointed to office are not independent men. I highly respect and esteem them both, and consider their acceptance of their offices, as the best evidence of their patriotism. The removals of Mr. Pickering and Mr. McHenry were made in a moment of passion, and without any previous designation of their successors, even in the mind of the President. This assertion, however strange it may appear, is not made at random; it was for some time altogether uncertain how the vacancies would be supplied. If the gentlemen now in office had declined, rage, vexation, and despair, would probably have occasioned the most extravagant conduct. I consider Gen. Marshall and Mr. Dexter as more than secretaries—as state conservators—the value of whose services ought to be estimated, not only by the good they do, but by the mischief they have prevented. If I am not mistaken, however, Gen. Marshall will find himself out of his proper element. I shall be surprised if Mr. Dexter's patience is found to endure the trials which it will be required to experience. If, however, they continue in service, their public conduct must conform to the system of the country. This system, if Mr. Adams is President, will not receive its complexion from the gentlemen of New England; his new allies must be found in the southern and western states, and from the nature of things they will be able to dictate the maxims of his administration.

To descend to particulars, we fear Mr. Jefferson will refuse to consult and pursue the advice of able and virtuous men. Will not Mr. Adams commit the same error? Does he not envy the fame, and wish to obscure the glory of Washington? Does he not hate, and do not his personal friends calumniate the most respectable of the living ornaments of our nation? We fear that Mr. Jefferson's influence would be too feeble to controul the factions of our country and preserve internal peace. What have we to hope from Mr. Adams but repetitions of those acts of violence, which have almost subverted the government by rendering it contemptible in the eyes of both parties. I know that it is his intention to become the founder of a new sect, but this is impossible; there are no materials of which to form such a party, and it is a decisive proof of imbecility that the idea has been entertained. We fear that Mr. Jefferson would involve us in a war, destructive to our interests and contrary to our policy. Will the danger be less under the administration of Mr. Adams? Why do we hear such frequent references to the transactions of the late wars? Why such unconciliating language? Why is it alleged that a British influence has operated in our councils, and why is it that no temperate, seasonable, and firm attempts have been made to reconcile misunderstandings and restrain the real injuries which we suffer from the British navy?

We fear a violation of public faith, a consequent destruction of credit. Will credit be properly supported by a man who abhors the muck of finance; who has for years declared that we have no fixed medium of commerce, and that the fluctuations of our actual medium (which is considered by him as consisting of bank notes) have committed greater depredations upon the property of honest men than all the French piracies; who has said that if we are engaged in a war with Great Britain, our funded debt will go down, but that we may support the war with vigour, as we did before, by emissions of paper money? The inference which

I make from a comparison of the dangers to be apprehended from the election of either Mr. Adams or Mr. Jefferson, is, that they are of the same nature, or so nearly equal in degree, as to justify indifference with respect to both these candidates, but mere indifference would not perhaps authorize opposition to Mr. Adams. Mine is founded on the recollection and belief of these truths, that he was elected by a joint effort of the federal party, under an expectation that he would maintain their system; that his administration has been well supported by the people, and was at one time as secure as that of Gen. Washington; that he has, so far as depended on him, subverted the power and influence of the federalists, and thereby proved himself unfit to be their head; that their right to elect a chief is as perfect as his to displace an officer, and that it is necessary to convince those who accept great trusts, that they must discharge, as well as exact the fulfilment of duties.

At the close of the last session of Congress, it was the general sentiment of the federalists in the middle states, that an effort ought to be made to support Gen. Pinckney as the candidate for the Presidency. I told such of them as conversed with me that they ought publicly to avow their opinion and assign their reasons for it, and thus relieve the friends of government in New England from the painful task of commencing the opposition to Mr. Adams. Some promises were made, but it has since appeared that nothing effectual could be done without assurances of the coöperation of Massachusetts. I have since sounded the opinions of influential men in New Jersey, and am assured that they will act in concert with their eastern friends, but that their people are too much divided to take the lead. The habits of Connecticut are not favourable to newspaper discussions of the conduct of public men in eminent stations; but whatever appearances may indicate, or however they may vote, I can assure you that the confidence of this state in Mr. Adams is irrecoverably lost, and that if their resentments are not loudly expressed, it is because they are averse to a division in the New England interest, of which Massachusetts is the head, and because their pride is wounded at discovering that they have become the dupes of imposture.

Pennsylvania is reduced to a situation truly to be commisserated. A high spirit in favour of the government had been excited, and if it had not afterwards been discouraged, Mr. Ross would have been elected Governor. In no state has the mission to France produced so violent a counteraction, as in Pennsylvania. The people are habitually sanguine and violent, and perhaps the country gentlemen at one time assumed airs of too much superiority over their opponents; the excess of their zeal might have been moderated, but by reversing the federal system, the President destroyed their influence, and has left them prostrate before their vindictive adversaries. It seems to be taken for granted that Pennsylvania will have no vote. I entertain a different opinion. Domestic associations are found through the state, and every exertion will be made to elect democrats into the legislature. The moment the elections are determined, Gov. McKean will be informed by express, and if the result is favourable to his views, the legislature will be instantly convened, and electors appointed. Judging from the temper of the times, and the course of past events, I think the plan of the Governor and Dallas can hardly fail to succeed.

Federal men count with confidence on the votes of New Jersey, but I know there is much reason to fear that the democrats will carry their point in this state. At the last election the votes were nearly equally divided; since that time the federal cause has not gained ground, and the discovery of Dayton's improper conduct, has furnished a topic of declamation against the federal party, which will be urged with considerable effect.

The character of Maryland is affected by the habits of slave owners. The gentlemen of large property are generally friends of government, though there are certainly exceptions too important to be unnoticed. The distinction between the rich and poor is too marked not to be felt by both classes. It has been an ancient usage of the aristocrats to pay respect to the sovereign people, by obsequious attentions whenever their suffrages have been requested. The candidates, on both sides, are now travelling through their districts, soliciting the favour of individuals, with whom they associate on no other occasion, and men of the first consideration condescend to collect dissolute and ignorant mobs of hundreds of individuals, to whom they make long speeches in the open air. You are a judge of the eloquence of the bar, and have heard that of the pulpit. That of election meetings allows a still wider range for the exercise of genius, it being permitted to affirm any thing which will advance the interest of the orator, in any manner likely to impress the imagination of the audience.

If the choice of electors was to be conducted according to the existing law, the vote of Maryland would be divided. The object of the federalists is to secure unanimity, by electing members to the state legislature, who will repeal the law, and assume the choice themselves. The right of suffrage is here considered invaluable, because, in addition to its usual attributes, it levels the distinctions of society, gratifies vulgar curiosity, indulges the plebeian taste for slander, and furnishes the means of riotous indulgence, without expense. The attempt to change the mode of election has therefore created great sensibility; it is sure, however, that it will succeed, but whether it succeeds or not, it is my opinion that it will increase the virulence of party spirit, and finally injure the federal interest in this state.

There was a gleam of federalism in Virginia, but it is expiring, and will soon be extinguished. Mr. Mayo, who was proposed to succeed Gen. Marshall, lost his election by an immense majority, was grossly insulted in public by a brother-in-law of the late Senator Taylor, and was afterwards wounded by him in a duel. This is a specimen of the political influence of the Secretary of State in his own district.

North Carolina will, it is said, give several federal votes, but its politics are too crude and unsettled to afford much support to any administration; particular questions may be determined on the federal side, but in general the influence of the state will be thrown into the democratic scale. South Carolina is uncertain. Georgia and the western states are Jacobin.

From this view of the present state of our affairs, which I have endeavoured to render as correct as possible, it must appear probable that Mr. Jefferson will be elected; but the more desparate the chance is of being able to retain the administration of the government, the more firmly ought the federalists to remain

attached to the principles of their cause. If these are not abandoned we shall remain a party, and in a short time regain our influence; if, however, we resort to temporary expedients, and permit the opinion to prevail that the two parties are equally influenced by personal and sinister motives, and that neither are in fact directed by system and principles, we may soon bid adieu to the constitution, and to the hope of maintaining internal peace or free government in our country.

An examination of the administration of President Adams has been so long delayed, that now it can only be made to grow out of the unjust accusations of his personal friends; these ought, in my opinion, to be answered in a high and fearless tone, and with allusions which will be universally understood, and if the gauntlet of controversy is offered by the Adamites, it ought to be instantly accepted.

This letter is much longer than I intended; you have my permission to show it to Mr. Cabot, from whom I have received two letters, which I have not now time to acknowledge.

FROM THOMAS FITZSIMMONS.

PHILADELPHIA, Aug. 20, 1800.

Dear Sir,

The uneasiness excited by the late accounts from Europe, respecting our commerce, appears to be so great that I am induced to trouble you with an intimation of it, and a wish that, as far as can be done with propriety, some information as to the true state of the business should directly or indirectly be given as soon as possible. We have, for some time past, had to expect that their mission would not only establish a good understanding with France, but that it would be speedy, and though there have been some intimations to the contrary, such has been the prevailing opinion until the advices of yesterday, which have created a disappointment fully equal to the former expectation. The reasons that are assigned in the newspapers do not appear to correspond with the acts of that government, and others are suggested unfavourable to the country, of which a very injurious handle will be made, unless some means is found to at once counteract it. On this subject it would be improper for me to make any other observations than that if the thing can be done, the sooner the better. The assiduity of the democratic party in availing themselves of every circumstance, renders it necessary to be prepared with facts to meet their assertions. As far as it respects the politics of this city, the distance to which the seat of government is removed, is a very serious disadvantage. The information communicated to individuals while it was here, had the effect of enabling the friends of government to contradict certain misstatements, or by explanation to satisfy those with whom reason would prevail; but now we are as uninformed of the actual state of things as if the seat of government was in Europe, except, indeed, that our opponents get a knowledge of things which we do not; how this is to be remedied I know not. The time of the principal officers of the government is too much engaged to admit of their carrying on correspondence of this kind, nor would it be proper if they had more leisure. I wish, however, some means could be devised to remedy this

evil, for I think it a very serious one. I will not trespass any longer on your time, but am, with kind regard, dear sir, your obliged servant,

THOS. FITZSIMMONS.

FROM GEORGE CABOT.

BROOKLINE, Aug. 23, 1800.

My Dear Sir,

I have read with great attention, your letter of the 11th. Mr. Chief Justice Dana and Mr. Parsons, have also given it a reading. As you probably see our newspapers, you must perceive that we have taken our course as we understood it to have been settled by our friends in Philadelphia. The enclosed copy of my letter to Gen. Hamilton, will explain to you the difficulties we apprehend from a disclosure of Mr. Adams' defects, unless accompanied by suitable acknowledgments that he is to be supported as one of the candidates, notwithstanding those defects. This apparent absurdity is only to be reconciled by the truth of the case, the necessity of mutual concessions. I am, and have long been, as fully convinced as you are, that Mr. Adams ought to have been abandoned by the federal party, whom he has sacrificed. But it seems a majority were not brought to this opinion in season, and the present half-way system was the consequence. I wish every federalist who can understand it, might read your excellent letter, and I wish to see a full but calm discussion of all the grounds of discontent with Mr. Adams in a pamphlet or newspaper; but still I do not see how it will be practicable to discard Mr. Adams as a candidate at this period without confounding us in this quarter, and consequently exposing the whole party to a defeat. Besides, if Jefferson is to come in, is it not very important that he shall *not* have come in by any division among the federalists? I fear we are too weak at best to face our enemy, but at any rate we are not strong enough to break up, and new form on the field of battle.

I have often contemplated the various issues of the election, and I see in each a considerable approximation of balance of advantage and disadvantage. Gen. Pinckney is the only one from whom I should expect pure, honest, steady efforts to save the state. On his side, the wise and good would be in their proper places, and if they fail of doing all the good they wish, yet they could neither be destroyed nor disgraced; but it is too obvious that Mr. Adams, and many with him, will oppose the Pinckney administration, and very many more support it coldly. A comment upon your letter would make a great book, and if worthy of the text, would be invaluable. I shall forever regret that the ideas it contains have not been communicated to every man of sense and honesty. With sincere esteem and attachment, I remain, as ever, yours, faithfully,

GEORGE CABOT.

GEORGE CABOT TO ALEXANDER HAMILTON.

BROOKLINE, Aug. 21, 1800.

My Dear Sir,

The exposition of the reasons which influence many men of unquestionable patriotism and loyalty, to withhold from Mr. Adams the confidence which he once enjoyed, may be useful by satisfying the intelligent and candid part of the public that those men act as they have ever done on genuine national principles; the reasons are strong, and require only to be placed in a clear light, but this must be done with infinite care and circumspection, that neither anger or jealousy may be excited; it must be done in a manner that shall clear up the doubts which now exist of the sincerity and consistency of the party who promoted the union of votes for Adams and Pinckney. It is perceived by Mr. Adams' personal friends, that while the party possess a zealous desire to unite all the federal votes for Adams and Pinckney, there are many, or at least some individuals among them who compose it, whose wishes are known to be that the election may issue in favour of Mr. P., and therefore it is inferred such persons will not act, and do not aim as they profess. To this charge it is generally answered, that without an union of all the federalists, neither Mr. A. nor Mr. P. can probably be chosen; but that with such an union one may be President, and the other Vice President, and considering all the circumstances of the case, the chance and the preponderance of wishes is in favour of Mr. Adams; that although there be many, and doubtless are some individuals who would think it by no means propitious to the national welfare that Mr. Adams should be re-elected, yet they yield to the superior consideration of union, by which alone Jefferson can be kept out, or Pinckney put into the office, and therefore these men act and will act fairly towards Mr. Adams, giving him all their support, upon the just expectation of a similar support to Mr. P. from those who prefer Mr. A.; that the plan formed at Philadelphia to support both, was a compromise which contemplated Mr. Adams as President, but liable, however, to be superseded by Mr. Pinckney, from the nature of the election; and that good faith would and ought to be observed, as the only means of success, and as the only ground of content after success. Such is the tenor of our language to the public; we think it true, and we shall be greatly embarrassed, if at this late period, after our sentiments are extensively known, there should be a new or different ground taken. You must allow me, therefore, to insist that whatever display is made of Mr. Adams' misconduct, it must be continually recollected that he may again be chosen by us, and that we are pledged to give him the full chance of the united vote concerted at Philadelphia; so that whatever is said against him must be explicitly avowed to be the complaint of those of us who have yielded individual opinions to the general opinion as a matter of expediency, and not the language of the party, and it ought to be admitted that the party, for various considerations, rather prefer the election of Mr. Adams to that of Mr. Pinckney. I understand, through a friend, that the Carolinians adhere to these ideas, as they were digested and agreed to at Philadelphia.

Mr. Harper writes me on the 11th from Baltimore, "that our friends may now count with some certainty, indeed very great certainty, on an unanimous vote for Adams and Pinckney" in Maryland. Although I think some good may be derived from an exhibition of Mr. Adams' misconduct, yet I am well persuaded that you may do better than to put your name to it; this might give it an interest with men who need no such interest, but it will be converted into a new proof of your being a dangerous man. Ames and I agree that you will give the enemy an advantage to which he has no claim. In every situation believe me affectionately and faithfully, yours,

G. CABOT.

FROM JAMES McHENRY.

BALTIMORE, 24th Aug., 1800.

(Private.)

My Dear Sir,

I was very sorry to learn from Mr. McEwen that you have been indisposed. It was the first I heard of it, and accounted to me for your silence. Get well, I entreat you; this is no time for you to be sick, when the enemy are marshalling their forces and buckling on their armour, in all quarters.

Samuel Chase, I believe, is getting sick of some of his electioneering proceedings, and begins to think the game at least a little doubtful. He has also been disappointed lately, in one of his sons not being appointed marshal. His cousin, Jeremiah Chase, may have an eye to the federal bench.

You will be able to divine from such data, why these two Judges have said so much in their speeches about one of the two federal candidates, and little or nothing about another. I am of opinion, however, that Judge Chase of Annapolis, if chosen an elector, will vote for both. Two strings to a bow is said to be better than one. How mortified I am, in looking into the herd, to be obliged to ascribe the conduct of most men to such motives.

Inclosed is a letter with its blank cover, which I received yesterday evening from the war office, franked "S. Dexter." Mr. Murray's writing is very well known to Mr. Dexter: why then open my letter? On what ground could he have supposed it a public letter? Had the hand writing been unknown to him, its coming from Paris, and in the way I suppose it did, might have satisfied him that it was a private letter. But supposing the possibility of such a letter containing matters appertaining to this department, still it might, with propriety, have been entrusted to me to have selected from it what was public, and make the communication. My dear friend, is this according to the fashion of eastern customs, and the ethics which is taught in your schools; if it is, I can have nothing to allege against the procedure, save its utter destitution of the forms of politeness and common respect.

The letter, it would seem, was written to be read by the President. I flatter myself he has been furnished with a copy by Mr. Dexter. Be this, however, as it may, I think the post at Paris has been early, and long since, in the event of a treaty, destined for our minister at Berlin.

Pray give me a sketch of the news Murray alludes to, and do not conceal from me any agreeable tidings you may be possessed of, from the eastward or elsewhere.

My old friend the Doctor, you will see, thinks I ought to confine myself entirely to philosophic researches. How dearly he loves the Mammoth, and how dearly he loves the mint. Yours truly and affectionately,

JAMES McHENRY.

TO JAMES McHENRY.

WASHINGTON, Aug. 26, 1800.

I have received your favour of the 21st instant. You have attributed my silence to the right cause. I have been seriously, though not dangerously unwell, and utterly unable to make any exertion beyond signing the necessary official papers.

I enclose a letter on the subject of yours, of the second instant. You will, however, permit me to say, that it can never be necessary to appeal to the President's declarations in support of your character, indeed I cannot conceive a case in which such an appeal by you will be proper.

I know not how Mr. Murray's letter came into Mr. Dexter's hands. I received no private letter with the despatches; the letter was not, I believe opened with improper motives, and I do not think it probable that a copy has been taken; all this is, however conjecture, for I have not, and shall not make any enquiries on the subject. The despatches are dated May 17th; till that time the conferences with the French ministers had been conducted in a dispassionate style, but nothing had been done, and it is clear to my mind that the mission will fail. You know the instruction of the treaties, the French contend for the *status quo;* this our envoys cannot grant. It is my opinion that they will return, and that their failure will increase the unpopularity of the present administration. How the country is to be brought out of the present scrape, I cannot foresee; the exigency requires all the skill of the great master of diplomacy. The President's personal friends have made an attempt to establish a new party by the name of the Constitutionalists, but it has not prospered; the Jacobins all at once have become his devoted admirers, designing thereby to prevent an unanimous vote for General Pinckney. My friends write that they will not succeed in Massachusetts; through New England the people are sore divided and vexed; they know that there is something behind the curtain, and they are angry that they are not told the nature and extent of the difficulty. So much time has been lost, owing to the languor of the public spirit, that I take it for granted, Mr. Jefferson will be elected. I shall not be surprised if the majority in his favour is powerful and decided.

I was in company some time since, at Georgetown, and heard somewhat indistinctly, a conversation of a General with Mr. Stoddert, from which I inferred that Mr. Charles Carroll had written to the President. If you are not acquainted with the circumstance, it will be well to make some enquiry; but without

mentioning my name. From another quarter, I learn that Judge Samuel Chase has requested explanations on the affair of Fries & Co. Whatever may be the expectations of the Chases from any administration, they will be disappointed. If they did but know themselves, they would certainly act the part of independent men; it being certain that they have no real interest to bias their conduct. North Carolina will, it is said, give more votes for Mr. Jefferson than has been expected even by the Democrats.

Among my colleagues, I publicly hold the same conversation with respect to the President and the state of the country, as to my most intimate friends; I shall do all in my power, consistently with truth and integrity, to promote the election of General Pinckney; the consequence must be, that I must resign next winter, unless I shall be previously removed. Perhaps all our exertions will not secure General Pinckney's election; you can, however, when you please, secure us against the caprice of Mr. Adams, by making known the circumstances which attended your resignation.

I ought, perhaps, to mention that ———, who is at Baltimore, writes that he understood from Mountflorence, that our Envoys had settled their business, and would sail about the 1st July for the Hague. It is certain that no treaty could, or had been made, and I do not believe that the story of their intending to sail for the Hague, is true. This is, however, a circumstance towards proof of the failure of the mission; and if the Envoys have indeed gone to the Hague, it must be to wait for new instructions. It is an odd story. I do not believe that it is true, in the whole; but I believe, as before stated, that the negotiation had evaporated *in fumo*.

I return you Doctor Sangrado's letters. After the next election, we will all philosophize together; but at present, I enjoin you to work in the vineyard of politics.

Stoddert's pain in the side continues to be troublesome. I think our removal here has made it worse. His case is pretty well understood, even by our new colleagues, to be miserable. Cunning, like murder, will out. Yours sincerely,

OLIVER WOLCOTT.

TO JAMES McHENRY.

WASHINGTON, Aug. 26, 1800.

I have been prevented, by indisposition, from replying to your favour of the 2d instant. I now readily comply with your request, in stating the purport of the observations made by the President, to which your letter refers.

Soon after your intended retirement from the Department of War was made known to me, I waited on the President of the United States on business relating to the Treasury, when the subject of your resignation was voluntarily mentioned by him.

The President said that he considered you a gentleman of agreeable manners, of extensive information, and great industry; that he verily believed your hands were pure, meaning thereby, as I understood him, that he reposed entire confi-

dence in your integrity; that he was happy in understanding that your circumstances were affluent, and that the loss of your late office would not distress your family; and that if any suitable office should become vacant, he should with pleasure confer it on you.

The express words of the President are not entirely recollected; but the foregoing is a correct statement of the purport of that part of the conversation, in which your personal character was mentioned.

FROM CHAUNCEY GOODRICH.

HARTFORD, August 25, 1800.

Dear Sir,

I ought before now, to have fulfilled the promise I made in my last, of informing you about our political state. I have put it off, because I was at a loss what to say about it. Since the issue of the New York election, and the divisions among the Federalists, the Democrats have taken courage to come out into open day, and very busy. A few active recruits have joined them. Our District Attorney has become quite outrageous. He is seriously alarmed on the score of British interest, and the introduction of monarchy. He paid his devoirs to the President, when on his way; and the President, as I am informed, told him that a British faction existed here, which must be broken up. Other strange speeches are also reported to have been made by the President. 'Tis likely his passions were a little warmed up, by Mr. Attorney's telling him over, in his own manner, what was said of him in this State. He boasts of having advised the President not to pursue his route by Hartford, as there he would be treated disrespectfully, and on that account he turned his course to New London.

THE PRESIDENT ALSO, IN CONVERSATION WITH DR. DANA, SAID THE COUNTRY COULD NOT GET ALONG WITHOUT AN HEREDITARY CHIEF. The Jacobins bandy about both sets of speeches, and at the same time their leaders pretend they wish for Mr. Adams to be President, and Mr. Jefferson Vice President. Their conduct is rather inscrutable; but I think their design is to disparage Mr. Pinckney's election, and get electors, if possible, who shall throw away votes from him, so as to increase Mr. Jefferson's chance. While the Jacobins are thus active, and pretty much in the dark, we cannot be entirely without apprehension, that they may cause some temporary and partial impressions. As yet, it is not known that any character of worth, has gone over to their side; nor is it perceived that they have had any where much effect. Some of the Federalists appear disconcerted; they do not perceive any strong point around which to rally; in general, however, they will exert themselves to keep as steady a course in this State, as our treacherous times admit. Noah Webster has let out his discoveries about a British and monarchy party. I understand he has known of its existence these two years past. Our friend Trumbull remains as firmly as ever attached to his old master. I think he will be the candidate for Representative from this town.

Among all the good people of the state, there is a horrid idea of Mr. Jefferson. The clergy abominate him on account of his atheistical creed. The great point here will be to avoid his election, and notwithstanding the objections to Mr.

Adams' late measures, the current of opinion is to support his election. Whatever private opinions any of the electors may have, they will find that they take on themselves the least responsibility by voting for the two federal candidates.

Without any particular knowledge of the rest of New England, I suspect the tendency of things will lead them, with little, if any exception, the same way. New events may influence one way or the other, before the day of election. Every thing seems to be pretty much afloat both here and abroad. The accounts about our negotiations vary from day to day, and like old Mr. Wales, we think there is news come to hand; where it is, and how to get at it, we cannot contrive any effectual means. If Mr. Marshall has any, beg of him to let it out, or at least to say he has none. While you are decapitated of your head, the government seems to be as snug as if it was bottled up in your new city. As soon as *We, the President, and Representatives* get together, we shall put you on your mettle, young [tyros] and all. Remember we are birds of passage, that come only to find what and whom we can devour. The season has been fine, healthy, and productive. Although our trade the last spring suffered too much by depredations; on the whole I believe it keeps up. The industry of the state, I think does not lessen. The body of the farmers are thrifty, though perhaps, in general, expensive habits of living increase. The emigrations the past season have been as great as ever; labour dear. Nothing however, is more certain than that, with a steady government, New England could get along pretty well with all its affairs. The public temper is more than usually fastidious about public expense; they care more about that than British influence, or monarchy. The strong passion of the country is money. Take all their taxes together, they pay pretty large sums. What is to be said of the consequences of the defeat of the Austrian armies? Will the Emperor make peace? If he does, must England, or will Bonaparte make peace with England? Have you any thing of late about Sitgreaves' mission. Yours affectionately,

CHAUNCEY GOODRICH.

HARTFORD, Aug. 26, 1800.

Dear Sir,

I take a new sheet of paper, because I am going to write about yourself and myself, and do not love to mix up these more interesting topics with the disgusting ones of politics. As what concerns me can be shortly despatched, I first speak to that point, and announce that the paragraph you will see in our papers of my declining a re-election to the great sanhedrim of the nation, is genuine. I perceive it is not a very popular act, but as it is perfectly justifiable in respect to the public, and absolutely necessary to myself, I am entirely at my ease about it. Personally I have no other regrets than what I experience in setting out anew in my profession, as however I shall be attentive to it, I hope to gain from it a decent subsistence; that, is about all that it will give.

I think, with you, you must quit your office. That point once settled, you have only to consult your convenience and character as to time and manner. When you quit you will wish to leave the business of your department well arranged, and the evidence to the public of its being so. I trust the honest part of the

community are well satisfied as to the last particular. You can best judge how far a formal investigation is necessary, on account of the attacks in the papers. A call for an enquiry may give them an importance they do not merit, or would not otherwise receive. Perhaps it may be well to give a pretty ample detail of the finances, your report at the opening of the session; viewing it as a public record of the state of things when you quit. On such an occasion it may be allowable to amplify. In your letter you ask me to make enquiries for a place near Hartford. Do you mean bordering on the town or in some of the neighbouring towns? In either case pleasant situations of good land may be found, but it will be difficult to get a good house. There is a little estate next south of Samuel Wolcott's, of 22 acres of most excellent land, running east to the meadow; a pretty decent house—wants repairs—price £750—repairs as to fences, &c., 400 dollars. Col. Wadsworth commends it much. If you can, I think you had better get a place on this side the river. Let me know your wishes—as to business, that must be found. Some of our friends here ask, if Tracy becomes Governor of St. Clair's territory; whether, till something better offers, you will go into the Senate. I am confident business will offer. If you can, possibly, come here this fall. Mary Anne is well. Affectionately yours,

CHAUNCEY GOODRICH.

FROM JAMES McHENRY.

BALTIMORE, Aug. 30, 1800.

Dear Sir,

I have received your letter of the 26th inst., in answer to the request contained in mine of the 2d, and thank you for communicating to me the favourable things which the President, Mr. Adams was pleased to say of, and his kind intentions towards me, so immediately after insulting me in the grossest manner, by the mean and despicable mode he adopted to effect my resignation. I beg you will not conclude, from the desire I have expressed to ascertain a circumstance so marked, as it is, with candour or abject duplicity upon his part, that I ever can consider my official character in any respect dependent upon his, *then*, opinion of it or of me. I merely presumed that in the infinite vicissitudes of affairs it might not be improper for me, or my family, to possess the fact authenticated by a person whose veracity no man can question.

It was, as you well know, my constant endeavour to conduct the business of the War Department with economy, and to render its important expenditures of *permanent utility* to the United States. I disliked the system of expediency, or providing for every public want, and necessity, as they originated. I laboured, therefore, incessantly, to introduce every where a different system, and to lay at a small expense, certain military foundations, capable of producing, in seasons which must occur to all nation, the most decisive effects. It has so happened, however, that some necessary allowances and expenses authorized by me, were misunderstood, or distorted; that very few of the gentlemen in Congress were disposed to an examination requisite to enable them to form just opinions on these expenditures; and that still fewer of them were qualified, from military

experience, or knowledge of the subject, to appreciate the merit or utility of my arrangements, and propositions; or if qualified, were either prejudiced against me, or too much occupied with their own systems, or speculations, to attend to, or support mine.

When I look back on the past, I lament only, that I did not leave the office when Gen. Washington retired from the Presidency. I should at least, have saved myself from a most mortifying scene, and insults which I shall never forget. I console myself, however, with the idea, that most of what I have either done, or proposed, during my administration of the department of War, will bear the strictest scrutiny; and one day or other, (perhaps a day of trial or misfortune to the United States,) be duly estimated and considered, and that no successor can administer it well, and at the same time, more economically. I am, dear sir, with real friendship and attachment, your ob't serv't.,

JAMES McHENRY.

BALTIMORE, 1 Sept., 1800.

Dear Sir,

The mail of last Saturday, brought me the Aurora of the 28th ult., containing the long threatened letter from Mr. Adams, which was to exhibit an irrefragable evidence to the American people, of the existence of British influence in our councils.

I see in this letter no such evidence, but a new proof of the inexhaustible vanity of its writer, and inextinguishable thirst for office, and deadly enmity to every man likely to become his competitor. The duke of Leeds, who had perhaps, nothing better to say to Mr. Adams, to whom he wished to say something, asks him a very natural question, respecting the two Americans, Thomas and Charles Cotesworth Pinckney, his class-mates, who, it seems, had received their education in England, as was customary in that day with the sons of men of fortune, particularly at the southward. This question—for it does not appear that there was further conversation on the subject—induces Mr. Adams to conclude that Mr. Thomas Pinckney, the new ambassador, and one of the two Pinckneys enquired after by the duke of Leeds, "has many powerful old friends in England." What a conclusion this, from such a circumstance! Shall we most admire its weakness, or the seeming wickedness of its intention?

The next idea of the letter-writer, is equally sagacious and profound. It is couched in a kind of question, including within it a direct insinuation, that if an American citizen has been known to an English lord, at "*school*," and that lord, twenty years after, (a revolution too, intervening, which tries men's principles) shall enquire about his welfare, this inquiry proves the said citizen to be a contaminated person, and unfit to be trusted as a minister at St. James! Is this the observation of a man of sense and experience, or of a designing politician?

Again, Mr. Thomas Pinckney's family have contributed to limit the duration of the commission under which Mr. Adams acted for the United States at the court of London, to three years, in order, as Mr. Adams says, to make room for themselves to succeed him. This charge I am certain, for I was then a member of Congress, and voted for the limitation, is unfounded.

The resolution which directed that no commission of a minister to any foreign court should continue in force for more than three years, was brought up on the 17th Feb'y., 1785, upon a motion made by Mr. Charles Pinckney, (the Jacobin, and now a Senator in Congress from South Carolina) seconded by Mr. Howel, a member of the then Congress from Rhode Island. Mr. Jacob Read, a member from South Carolina, (the same gentleman who is now in our Senate) seconded by Mr. Hardy, a member from Virginia, moved to postpone this motion, and to declare it impolitic, and unnecessary to fix any determinate time to the continuance of a foreign minister in office. This motion was negatived, and by what States? By New Hampshire, Massachusetts, (Gray a member) Rhode Island, Connecticut, New York, New Jersey, Maryland, and South Carolina. The States for it, having votes, Virginia and North Carolina, only. The motion for postponing, &c., being lost, the restricting motion was put, and lost also. The States in its favour, were New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, and New Jersey. Against it, Virginia and North Carolina. Next day, the 18th, the restrictive motion was renewed, and carried by the States of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, (Maryland divided) Virginia, North Carolina, South Carolina, (Mr. Read against it, and Mr. Bull, and Charles Pinckney for it) Georgia divided.

On the 24th Feb'y. following, Mr. Adams was elected minister plenipotentiary to the court of Great Britain, upon the nomination of Mr. Howel, who had seconded the motion of limitation, no other person being in nomination. You will perceive from this statement, that the measure was supported, and voted, by the whole eastern interest in Congress, and that neither General Pinckney, nor his brother, Thomas Pinckney, were members of Congress, or could have influenced the eastern votes on the occasion. This creature, then, of the letter writer's brain, these airy nothings, constitute a "long intrigue" of the Pinckney family; and therefore, and whereas, he, Mr. Adams, from the aforesaid premises, suspecting as he did, British influence in the appointment of Mr. Thomas Pinckney, were he in any Executive department, he should take the liberty to keep a vigilant eye upon them—the Pinckneys. Is it possible for low ambition, envy, and ridiculous vanity, to go further in associating, and combining malignant suspicions to wound the character of a fellow citizen? Will it be possible, after the public shall come to the knowledge of this letter, and its contents, for the friends of Mr. Adams to keep him from sinking in the opinion of every man of sense, integrity, and candour? Or rather, will there any friends remain to him, after so plain, and clear an exposure by himself of his character?

A friend of mine, at my instance, visited Charles Carroll, of Carrollton, on Saturday, and informs me that Mr. Carroll told him, that he had written no letters to Mr. Adams, except recommendatory ones, at the request of applicants for places; that he considered him totally unfit for the office of President, and would support, as much as he could, the election of General Pinckney. Of Chase, (Samuel) more another time. Yours truly and affectionately,

JAMES McHENRY.

P. S. I have written a letter to a friend in Philadelphia, on the same subject, but I question whether the papers are yet prepared for the administration of such strictures. I shall try Harper on the same subject.

TO ALEXANDER HAMILTON.

WASHINGTON, Sept. 3d, 1800.

I am favoured with your letter of the 3d and 19th instant. You will have thought it strange that the first has not been acknowledged; it has been out of my power; the effects of a new climate, want of exercise, and too much application to official business, produced a serious indisposition, which disabled me from writing for a fortnight. I am now recovering, though I remain weak.

I had commenced the statement which I had promised, and soon found myself embarrassed with the reflection which has occurred to you. We know that the present humiliation of the federal party is to be attributed to the violent and inconsistent conduct of the President. We also know, that opinions have been frequently expressed by him, not only unjust to individuals, but highly imprudent, and dangerous in relation to the public interests. It is, as I conceive, perfectly proper, and a duty, to make known those defects and errours, which disqualify Mr. Adams for the great trust with which he is now invested; but the publication of particular incidents and conversations, the knowledge of which has resulted from official relations, will, by many good men, be considered as improper. The most flagrant outrage on decency, attended the demand of Mr. McHenry's resignation. Perhaps there exists no obligation to conceal what occurred at the time when the official relation was dissolved; and it is, I presume, equally fair, to deduce evidences of unfitness, from any notorious circumstances which have attended the President's administration. My statement will be made on these principles. But the situation in which we are both placed, is delicate, and somewhat perplexing. Whatever you may say or write, will, by a class of people be attributed to personal resentment; while it will be said that the President has not injured me; that he has borne with my open disapprobation of his measures, and that I ought not to oppose his re-election by disclosing what some will term personal, or official secrets.

Having reflected on the dilemma, I have concluded, that as it respects myself, I was justifiable in continuing in office during the present year, on the ground of the sudden innovations in the administration, which afforded me no opportunity for reflection, before the termination of the last session of Congress; that the unsettled state of two of the Departments; the removal of the offices to this place; the absence of the President from the seat of government, and the duty of preserving order in a branch of business which had been committed to my care, were circumstances which should justly dissuade me from an abrupt resignation, while they left me free to exercise my opinion, and my rights as an individual, upon any question relative to the public policy and interest. To secure myself from the imputation of being concerned in a secret cabal, I have, however, thought it my duty to express my opinions and intentions frankly to my colleagues, in the same manner as I have done to my private correspondents. I am apprised that I shall, by some, be considered as factious; but the accusation is less offensive than the suspicion of cunning, or subserviency to measures which I seriously disapprove, and to which I should otherwise be opposed.

The result of a free correspondence with my friends in Massachusetts and Connecticut, is, that the former are disinclined to a public discussion of the conduct of the President; those of Connecticut think as we do, and probably may express their sentiments by their votes; but they will not agitate the public mind without perceiving that some important public object is to be acquired.

I have been much surprised, and chagrined, to find our party so unstable, and inefficient. We must, however, take things as we find them; they are indeed bad, but they may be made worse. I am clearly of opinion that you ought to publish nothing with your signature, at present; it is the business of some less conspicuous character to commence an investigation. The President cannot, except for a moment, injure your character. His project of placing himself at the head of a new party, will not succeed; and the impressions which his declarations respecting an English party first made, have already in a great measure, been effaced. From my correspondence, I infer that Gen. Pinckney will obtain all the votes of Massachusetts. I conclude, however, that Mr. Jefferson will certainly be elected President. The antis have the command of the press—the current of public opinion is in their favour. Those who are confirmed in opposition, are interested in classing the friends of Mr. Adams, and Gen. Pinckney together. Their interests could only be separated by a bold and united effort; the time for making this effort has been permitted to elapse; the only remaining chance is to be expected from the result of the mission to France; and I am inclined to think that even this will operate in favour of Mr. Jefferson.

Our despatches are only to the 17th of May, at which time nothing had been done beyond a mutual disclosure of the points in controversy. The discussion had been temperate, but firm, on both sides. I have little doubt that the negotiation has failed, and that the report from St. Sebastien's is true, both as to the general fact, as well as the particular cause of rupture. You will judge whether, in the present languid state of the federal party, it will be possible to resist the impression which the democrats will attempt to make, that an accommodation ought to take place on the ground of compensation for illegal captures on the one hand, and a revival of the old treaties on the other. Will our people listen to arguments derived from a sense of national honour or permanent policy, in opposition to their desire for peace, and to the immediate interests of the merchants; or will they patiently bear to be told that the treaty with Great Britain, already the supposed cause of much embarrassment, opposes an insuperable obstacle to the revival of the ancient treaties with France?

To return to the point in which we are personally interested, viz: whether a formal defence against Mr. Adams' observations is expedient. Permit me to say that he is sufficiently successful in undermining his own credit and influence. Strange reports are in circulation, many of which are well founded and believed. At New Haven he told Mr. Edwards that a British faction existed here, which it was necessary to break up. To another person, of great respectability, he said, that this country could not get along without an hereditary chief. The Jacobins repeat both stories, and the people believe that their President is crazy. This is the honest truth, and what more can be said on the subject?

I have attended to the publications in the Aurora. We may regret, but we cannot now prevent the mischief which these falsehoods produce. The Aurora

is but one of many papers which contain similar misrepresentations; they are echoed by organized committees through a great part of the Union. We may as well attempt to arrest the progress of fire in a mass of gunpowder, as to suppress these calumnies; they must have their course, and the vindication of official character must be referred to an enquiry of Congress. I feel entire confidence that the manner in which the business of the treasury has been conducted, both during your own and my administration, will bear the strictest scrutiny. The accounts relative to the payment of pensions and interest, while you were in office, have long since been settled, and it will appear that no improper advances were made. The accounts which have been published through the infidelity of some of the clerks, are among the most recent transactions of the department. Col. Pickering's conduct will be found correct, Mr. Dayton's incorrect; but the advances were made on his written application, and it was impossible for me to foreknow that he would endeavour to force a loan from the treasury, or that he would unjustifiably delay to settle his accounts. The advances for pensions never exceeded, and frequently fell short of the precise sums required by the War Department. The payments for dividends of interest have been governed by a form which has rendered estimates necessary. It is my present intention to invite an enquiry, which will confute every calumny against your or my character, and show the state of the Department at the close of this year. It is incumbent on those who have raised the storm, to watch its progress and effects.

At the moment of closing this letter, I have received one from Mr. Cabot, by which I find that Mr. Adams will be supported in Massachusetts, in conjunction with Gen. Pinckney. This confirms the ideas which I have suggested of the inexpediency of any thing being published with your signature. I will soon complete my statement, though I do not find that it can be of any present use. We must, it seems, renounce our plan, or continue it without support. Mr. Jefferson will probably be elected, for I hold it to be impossible that men of sense should cordially support Mr. Adams, whatever they may affect.

P. S. Mr. Adams' letter to Tench Coxe will serve instead of volumes for an illustration of character. The inquiry after a class-mate was a strong ground for impeaching the integrity of an old soldier and patriot, as well as the wisdom of the American government. Besides, the journals of Congress will prove that the limitation of Mr. Adams' commission to three years was established by the votes of all the eastern states, and among others, by that of the favourite Gerry. See the Journal of 17th, 18th, and 24th February, 1785.

FROM TIMOTHY PHELPS.

NEW HAVEN, 18 Sept., 1800.

Dear Sir,

The devil has been to pay here for the last week. Bishop, under the protection of an appointment to speak an annual oration before the P. B. K. Society, (being a member), had prepared, under the rose, a most violent Democratic one indeed—fraught with all the falsehood imaginable—solely with a view to affect our election last Monday. Fortunately, the Society discovered the cheat before

it was delivered, and destroyed its effect as far as in their power. Enclosed, I send you their resolve—also enclosed, Mr. Webster's reply to the oration. So far, Mr. Webster has deserved well. Also, a copy of an intercepted letter from Grangers. We had a clear majority in favour of Federal men, of 104 out of 399 votes, although the Democrats had spent all their time and talents for eight weeks, endeavouring to persuade the ignorant part of the community that the administration were endeavouring to monarchy; and even good Mr. Edwards had told them he had held an important office under government, but that he had found them so vile and corrupt he was determined to resign the office, and would go as their representative, and use his endeavours to relieve them of their oppressors. He even had seventy to eighty to sup with him, many of whom would disgrace a New York election, where he undoubtedly expatiated largely on the importance of moral obligation and purity of manners; but, poor devil, it all would not do, and he was obliged to go home, chagrined and mortified in the extreme. He had a similar meeting in his seraglio at Wallingford, when *Cata Bull* presided; he then dealt out similar sentiments to serve their master, the Devil, by which means they got one Democratic representative. THE OBSERVATION OF THE PRESIDENT, WHEN HE WENT THROUGH TOWN LAST, MADE MORE DEMOCRATS THAN ANY OTHER THING BESIDE. HE TOLD DR. DANA HE DID NOT BELIEVE THE UNITED STATES COULD EXIST AS A NATION, UNLESS THE EXECUTIVE WAS HEREDITARY. What necessity of saying these things—if he thought so. At the time it alarmed many of our people very much; they said they would spill their last drop of blood before monarchy should ever be established. This was a favourite theme for the Democrats to carp upon, and you may depend upon it that they did not let such an opportunity pass by unnoticed. Yours sincerely,

T. PHELPS.

FROM JAMES McHENRY.

BALTIMORE, 23 Sept., 1800.

(Private and Confidential.)

Dear Sir,

I resume what I promised in my letter of the 1st inst. I had, pretty early in the present crisis, reason to doubt of the loyalty of the two judges who have seemingly volunteered their services for Mr. Adams; and my suspicions were by no means removed, by reading S. T. C.'s address to his fellow citizens of the fifth district, (Baltimore city and Anne Arundel county), dated the 2d inst., especially when he says, "I am solicitous that Mr. Adams should be elected President, because I think he is a tried, firm, decided patriot; is eminent for his talents and integrity; has rendered great and important services to his country; has magnanimity enough to resist the influence of party, and will pursue that line of conduct, &c." Who, think you, told Mr. Chase about this party, and the Chief's *magnanimity* to *resist it?*

This is truly a strange world we live in. One of these judges, Samuel, had cast the Chief's nativity, as it respects the approaching election, and thought he found the States in his favour. He called in a brother magician to help him,

who writes for, and in private companies, speaks against the Chief. Still the judge was uneasy, and kept viewing the stars, which appeared to be greatly agitated and unsettled. The Secretary of State had promised to give him the result of information, which he expected to receive from certain Sydrophels residing in different parts of the Union. This did not come in season to throw any light upon the horoscope, and I believe has not yet arrived. In short, as time pressed, and something must be done, he concluded to support Mr. Adams for President, in the most unequivocal manner, and yet not give up General Pinckney. Read, upon this subject, the enclosed notes, and return them.

How sincerely, and from the bottom of my heart, and with all my soul, I despise these men who, knowing and feeling what is right, and wise, and politic, and honourable, will nevertheless, sit down with a table of interest before them, and square their conduct by a mere mathematical calculation. My friends, I mean those more immediately in my vicinity, are very firm; but may not this firmness prove injurious? It is a moot case, whether the gentlemen here will even make an exertion to secure the election of Judge Chase, could any exertion of theirs effect it. What a situation this, when evil may be the issue of their acting or doing nothing.

I have had a letter from Jersey lately. It would seem as if the friends of the real interest of our country, in that State, were to prove successful. They understand that General Pinckney will not obtain all the eastern votes, and that Mr. Adams will. Remember, and let it be impressed upon your friends in Connecticut, that it rests with them, and them only, to give us Adams or Pinckney for our next President.

Let me hear from you, and conceal neither your fears nor hopes. Anything from France, since your last?

I have had an intermittent, from which I have but just recovered. Yours truly and affectionately,

JAMES McHENRY.

FROM JAMES McHENRY.

BALTIMORE, 26th September, 1800.

Dear Sir,

I sit down to remind you of a conversation we held together at table, one day, while you were in this city. You observed that, by a little more and general attention to our apple orchards, and skill in making cider, we might easily procure to ourselves a substitute, perhaps not distinguishable from certain foreign wines, in high estimation; and instanced cider prepared in Connecticut, which had satisfied you of the fact. Phillips, in his Cider, a Poem, tells us—

> "Some cyders have by *art* or *age* unlearn'd
> Their *genuine relish*, and of sundry vines
> Assum'd the flavour; one sort counterfeits
> The *Spanish* product; this to Gauls has seemed
> The sparkling nectar of *Champaigne*; with that

A German oft has swell'd his throat, and sworn
Deluded, that imperial *Rhine* bestow'd
The generous rummer ———."

I am very well satisfied that both you and the poet are right, and do conceive it might be attended with national advantages, if the making of these fictitious wines could be so increased, as to afford a supply for the tables of our gentry in the Middle and Southern States. It appears to me, that the climate of the Eastern States is particularly suited to give that flavour and poignancy to the fluids of the apple, essential to the production of the wines in question. The texture of the apple, in the Southern States, is more loose, and the flavour less fine and delicious. Suppose you were to recommend it to some of those persons in Connecticut, who have been in the practice of making any of these fine ciders for their own use, to extend the manufacture, and send samples of them to New York, Philadelphia, and Baltimore. The cider prepared in Philadelphia, costs the consumer eleven shillings per dozen to return the bottles. I would presume that your good people could sell theirs at the same price, and have a reasonable profit. Some one trader, of known reputation, might be appointed in each city, to dispose of it.

The sparkling or champaign cider ought always to be exported in quart stone jars, well sealed, such as the cider and perry come in, which we get from England, and which can be procured at the stoneware manufactories at or near New York. The Rhenish cider would be contained by glass bottles, as also the Spanish kinds. I should, however, think it best to use stone jars for every sort. But enough of cider.

The merchants, I find, are getting very uneasy at the delay of government to declare a free trade to Toussaint's newly acquired possessions. Why is it delayed, and when will it be opened?

I see by a paragraph in the English papers that letters received in London from Paris, in July ultimo, give no promise of a successful issue to the mission. Humphreys, you perceive, is blamed or praised, I don't know which, by the Aurora, for the doings of *Barlow*, who, if I mistake not, was appointed to Tripoli by *Monroe*. The Senate, my good friend, and I said so at the time, ought never to have ratified the treaty alluded to, with the declaration that "the government of the United States, is not, *in any sense*, founded on the Christian religion." What else is it founded on?

This act always appeared to me like *trampling upon the cross*. I do not recollect that Barlow was even reprimanded for this outrage upon the government and religion. I am, dear sir, very truly and affectionately yours,

JAMES McHENRY.

FROM ALEXANDER HAMILTON.

New York, Sept. 26, 1800.

Dear Sir,

As I hinted to you some time since, I have drafted a letter which it is my wish to send to influential individuals in the New England states. I hope from it two

advantages—the promoting of Mr. Pinckney's election, and the vindication of ourselves.

You may depend upon it, a very serious impression has been made on the public mind, by the partisans of Mr. Adams, to our disadvantage. That the facts hitherto known have very partially impaired the confidence of the federalists in Mr. Adams, who, for want of information, were disposed to regard his opponents as factious men. If this cannot be counteracted, our characters are the sacrifice. To do it, facts must be stated with some authentic stamp. Decorum may not permit going into the newspapers, but the letter may be addressed to so many respectable men of influence, as may give its contents general circulation.

What say you to the measure? Anonymous publications can now effect nothing.

Some of the most delicate of the facts stated, I hold from the three ministers, yourself particularly, and I do not think myself at liberty to take the step without your consent. I never mean to bring proof, but to stand upon the credit of my own veracity.

Say quickly what is to be done, for there is no time to spare. Give me your opinion, not only of the measure, but of the fashion and spirit of the letter, in regard to utility and propriety. If there are any exceptionable ideas or phrases, note them.

As it is a first draft, there is much I should myself mend; but I have not now leisure previous to your inspection. Yours truly,

A. H.

FROM GEORGE CABOT.

BROOKLINE, Sept., 1800.

My Dear Sir,

At the desire of Mr. Gore, from whom it has just arrived, I enclose you a letter to Col. Pickering, with a request that you will transmit it to him. You will see by our newspapers that the negotiation at Paris is broken off, and I think you will see such of its details as may tend to influence the Presidential election; the article from Paris is certainly intended for that purpose. The French say they will not treat with us, unless we put them on the same footing as the English; but in the 25th article of Mr. Jay's treaty, we have stipulated that we will make no new treaty which shall give to a nation at war with England the advantage of our ports to shelter privateers, prizes, &c. Previous to the treaty of Mr. Jay, and afterward, until the amendment of the French treaty, France had the same advantage over the English which she now complains the English have over her; yet this did not prevent an equitable and amicable treaty being made by Mr. Jay. When we supposed ourselves in danger from the power and hostility of England, as in 1778, we reciprocated with France certain exclusive stipulations relative to maritime rights, which we then thought suited our condition. In 1794 we reciprocated with England similar stipulations, and which, by the violations of France, in fact of our treaty with her, gives an efficacy to the stipulation which it could never have had in relation to France. If this is inconvenient or injurious to France, it is her own fault, for we saved to her all the rights she enjoyed by

treaty, and she wantonly, wickedly, and insolently violated that same treaty by which she held them. If I were not too indolent, I would throw two or three ideas into the paper.

A gentleman who saw Mr. Ellsworth the latter end of June, informs me that he expressed an opinion that it was best he and his colleagues should be where they were; that Austria probably must make peace, and England perhaps would not continue the war after the summer campaign ends; that if all others should adjust their differences and ours remain unsettled, we might find it difficult to obtain terms between just and reasonable. These sentiments are natural, but are they sound? What safety can be derived to us from a piece of parchment, if Bonaparte is able and disposed to disturb us? Does not our danger increase with his preponderance of power, and is not that preponderance increased by the extinction of our enmity? Is there any safety for any nation against the power and ambition of France, but in a power and disposition to resist them of themselves or in connection with others? I think there is not, and I still hope that England thinks so, and will therefore revive the spirit of King William and Queen Anne's times, and make neither peace nor truce with France until her power is reduced.

I should be most happy to see you here, altho' I should expect to hear you denounced as an intriguer if you were to visit us at this time. I am told, however, that to Mr. Parsons the P. denies that he ever called us "British Faction," or any of the hard names of which he has been accused. He does not recollect any intemperance, and thinks himself grossly misunderstood or misrepresented. He does not recollect to use the expressions mentioned by Mr. Goodhue, and never spoke of the Essex Junto in the opprobrious terms charged against him. It seems on the whole he was disposed to moderation, and to be reconciled to those few who have omitted to visit him, if they wish to be reconciled. Doubtless you have done right in the case mentioned in my two last letters. I lament that I am obliged sometimes to give you the trouble of reading on such subjects what I cannot refuse to write.

When you see Mrs. Wolcott, pray remember Mrs. C. and me to her, and assure her of our constant affection. Yours faithfully,

G. CABOT.

FROM JAMES McHENRY.

BALTIMORE, 4th October, 1800.

Dear Sir,

The devil, who is never idle, as malignant as Coxe, and scarcely more cunning than some of our acquaintances, has been at work for some time with departmental secrets, would have us believe (see Duane's paper of the 1st inst.) that persons *pretending to possess the authority of our government* had entered into certain *treasonable* conventions with Great Britain and Toussaint, &c. &c.

I think it will be advisable, previous to your leaving the seat of government, to possess yourself of a copy of the propositions relative to a free trade with St. Domingo, and agreed to with General Maitland, and all other points connected

with that subject, which have been concurred in by the heads of the departments and attorney general.

Truth, I have been taught to believe, will put always down the devil. Yours, sincerely,

JAMES McHENRY.

Among the various matters which fed the spirit of the two parties at this time, and moreover among those which tended to excite personal resentment against Mr. Adams in his own, was the publication of a letter from him to Mr. Tench Coxe, who, as will be remembered, had been dismissed from office in the winter of 1798, for official misconduct. This letter was written shortly after Mr. Thomas Pinckney was sent minister to England, and referred to his appointment as the result of British influence! It had been for some time, through Coxe's treachery, in private circulation, as an efficient means both of injuring the popularity of Mr. Pinckney and his brother, and embroiling Mr. Adams with his party. Its existence was mentioned to Gen. Washington by Mr. McHenry, in his letter of Nov. 10, 1799. The following is an extract:

JOHN ADAMS TO TENCH COXE.

QUINCY, May, 1792.

"Something that interests me much more is your obliging letter of the 12th of this month.

I should have been happy to have seen Mr. Pinckney before his departure; but more from individual curiosity, than from any opinion that I could have given him any information of importance to him. If he has the talent of searching hearts, he will not be long at a loss; if he has not, no information of mine could give it him.

The Duke of Leeds once enquired of me very kindly, after his classmates at Westminister School, the two Mr. Pinckney's, which induces me to conclude that our new ambassador has many powerful old friends in England. Whether this is a recommendation of him for the office or not, I have other reasons to believe that his family have had their eyes fixed upon the embassy to St. James for many years, even before I was sent there, and that they contributed to limit the duration of my commission to three years, in order to make way for themselves to succeed me. I wish they may find as much honour and pleasure in it as they expected, and that the public may derive from it dignity and utility. But knowing as I

do the long intrigues, and suspecting as I do, much British influence in the appointment, were I in any executive department, I should take the liberty to keep a vigilant eye upon them."

The publicity given to this miserable gossip by the Jeffersonian newspapers, called forth a brief notice from Mr. Thomas Pinckney, guarding those acquainted with the characters concerned, "against giving credit either to the authenticity or justice of that performance, until the event of an investigation, which he would immediately commence, should be made public." The charitable supposition that the letter was a forgery, proved groundless. Mr. Adams, in reply to a letter from that gentleman, however, thus explains the insinuations of the one to Mr. Coxe:

THE PRESIDENT TO THOMAS PINCKNEY.

PHILADELPHIA, October 27th, 1800.

"It was only on yesterday that I received the letter you did me the honour to write to me on the 16th of September. For the friendly and respectful style in which it was written, I pray you to accept of my hearty thanks, and you shall receive in my answer, all the satisfaction in my power to give you.

Of the letter which is published in my name, I have no copy, nor any very particular recollection. In general, I remember that when Mr. Coxe was assistant to the Secretary of the Treasury, he was very assiduous in his attentions to me; made me many visits at my own house, and many invitations to his own, when I was at the seat of government, and wrote me many letters when I was absent from it. I have also an indistinct idea of his writing me a letter before your embarkation for Europe, expressing a great anxiety that an interview should take place between you and me before you should depart, and an opinion that it would be in my power to communicate to you some useful information and advice relative to the subject of your mission. As I knew of nothing that could make it necessary for you to take a journey to Quincy, or for me to go to Philadelphia, it is probable I wrote him something like the letter that is published. This, however, has been manifestly either so carelessly copied, or unfaithfully printed, that I must refer to the original letter, which, if it is in my handwriting, will be easily known.

It may not be easy for me to give you a clear idea of the situation I was in when that letter was written. In order to accomplish this necessary purpose as well as I can, it must be observed, that in May, 1792, it was my misfortune to be wholly unacquainted with all the gentlemen who bear the name of Pinckney. I had never seen one of them in my life, as I can recollect, and knew not that

there were more than two. When I heard of your appointment, I recollected with the Marquis of Carmarthen, now Duke of Leeds, and imagined it probable that his Lordship might have intimated, directly or indirectly, to some one near the President, that one of the Mr. Pinckneys would be agreeable at court. I never had an idea of any other influence than that, which is very common in Europe, when one government causes intimations to be given to another, that the appointment of some particular gentlemen would be agreeable. And I now fully believe that my suspicion of even that kind of influence was wholly unfounded in reality, though it had then some colour in appearance. The other insinuation concerning the Pinckney family, had no other foundation than this: When I received my commission to the Court of St. James, I observed in it a limitation to three years. As I did not recollect any example of this before, I was at a loss for the reason of it, but as I did not intend at that time to remain in Europe, even so long a time as three years, I thought very little of it, until afterwards, on my arrival in London, in 1785, I received information without inquiry, that Mr. Pinckney, a member of Congress from South Carolina, had said that the limitation to three years had been inserted in my commission for the purpose of getting rid of me; that the mission to London was too good a thing for me, and that the intention was, as soon as I could be removed, to send a Mr. Pinckney of South Carolina, in my room. When I heard of a Mr. Pinckney's appointment, this London information came into my mind and diverted me, because I supposed Mr. Pinckney, after eight years, had carried his point, and occasioned the sentiment expressed in the letter, which, from the sportive, playful, careless air of it throughout, must be easily perceived to have been confidential. It may be easily ascertained who was the Mr. Pinckney who was a member of Congress in 1784 or 1785, when my commission was granted and dated, and when the limitation to three years was inserted.

On this occasion, it is but justice and duty in me to declare that I have not, at this time, the smallest reason to suspect that you or your brother ever solicited any appointment under government, abroad or at home; that the whole conduct of both, as far as it has come to my knowledge, (and I have had considerable opportunities to know the conduct of both since 1792) has shown minds candid, able, and independent, wholly free from any kind of influence from Britain, and from any improper bias in favour of that country or any other; and that both have rendered with honour and dignity to themselves, great and important services to our country. And I will add, in the sincerity of my heart, that I know of no two gentlemen whose characters and conduct are more deserving of confidence.

I cannot conclude without observing that we are fallen on evil times; on evil times indeed are we fallen, if every private conversation is immediately to be betrayed and misrepresented in the newspapers, and if every frivolous and confidential letter is to be dragged by the hand of treachery from its oblivion of eight years, and published by malice and revenge, for the purpose of making mischief."

After this entire retraction by Mr. Adams, the letter needs but little notice, even had it been ever deserving of

more than ridicule. It may, however, be mentioned, that the resolution referred to, which was introduced, it is true, by a cousin of Mr. Pinckney, was a general one, limiting the commissions of all ministers to foreign courts, and not, as Mr. Adams supposed, directed against himself; that it was seconded by the very member who nominated him as Minister to England, and supported by Mr. Gerry, his particular friend.[a] The circumstance of this letter, though of some moment at the time, would not now be deserving of notice, but that it is another proof of the jealous character of Mr. Adams, the frivolous grounds on which he could allow himself to entertain the gravest suspicions against the purest characters, and his singular want of self knowledge in styling himself "the most open, unsuspicious man alive."[b]

But although the President thus withdrew his charges of British influence, as regarded the Pinckney's, he was not equally just towards others. The imputation as applicable to Hamilton, to those members of the Cabinet who could not appear to approve of his French embassy, and to others who were suspected of coinciding with them in opinion, was as often in his mouth, as in that of Jefferson or his followers. The man who, of all men in America, had been most frequently and bitterly attacked for his predilection to British institutions, for his propensity to monarchical forms and ceremonies, now condescended to adopt the stale and paltry slander of his political enemies, and use it as a means of destroying such of his former friends as he had by his own secession alienated. The weapon was one well suited to the vulgar prejudices of the mob; he had himself felt its edge, and he could not refrain from handling it in turn. Openly used by the ostensible head of the federal party against its distinguished members, it could not fail to have its effect in giving force and strength to the attacks upon them; but Mr. Adams

[a] Hamilton's Letter, pp. 16, 17. [b] Boston Patriot, Letter XVI.

had not the sagacity to perceive that in working their ruin, he was destroying the pillars of the platform on which he stood himself.

Mr. Hamilton, against whom in particular this language had been employed by the President, had determined that it should not pass unnoticed or unanswered. On the first of August, therefore, he had addressed to Mr. Adams a letter, couched in respectful language, inquiring whether the report that he had asserted the existence of a British faction in America, embracing a number of leading or influential characters in the federal party, and among others referring to himself by name, was or was not correct, and if correct, on what ground the suggestion was founded. Receiving no answer to this communication, he again wrote upon the first of October, and observing that he would draw no inferences from the President's silence, he declared, "that by whomsoever a charge of the kind mentioned in his former letter, might at any time have been made or insinuated against him, it was a base, wicked, and cruel calumny; destitute even of a plausible pretext to excuse the folly or mask the depravity which must have dictated it." Of these letters it is believed that Mr. Adams, in his published writings at least, has taken no notice. The charges have, however, been stereotyped by him, in the letters to Cunningham and to the Patriot, and upon his authority as to the existence of such a faction and the men who composed it, have the anti-federalists rested. "The conspiracy against the public liberty," says Mr. Gerry's biographer, "imputed to the leaders of the dominant party, and proclaimed by their opponents, like the prophesies of Cassandra to incredulous ears, has since been wonderfully countenanced by the disclosures which the then President has made."[a] The value of the disclosures, and the existence of the conspiracy, will, it is believed, need better evidence than has yet

[a] Austin's Life of Gerry, II. 150.

been exhibited, to gain credence with posterity, in the teeth of that which is to be found in the lives or the writings of our early statesmen. That, so far as regards Mr. Adams, the imputation was the offspring of wounded vanity, of disappointed ambition, of jealousy and revenge, is sufficiently shown in the history of his administration and of his defeat.

With all this dread of a British faction in his mind, Mr. Adams, in his moments of irritation, it seems, did not hold *monarchy* in such abhorrence, provided it was centered in the issue of his own loins.

It was about this time determined by Mr. Hamilton to address a circular letter to some of the leading federalists throughout the country, in defence of those of the party who had advocated the equal support of General Pinckney at the forthcoming election. The friends of Mr. Adams had been unwearied in their efforts to disparage the characters and the motives of Gen. Pinckney's adherents, and the personal views of the latter had been as unsparingly attacked by them as by the anti-federalists themselves. In accordance with this resolution, the celebrated "Letter concerning the public conduct and character of John Adams," was prepared. It was intended to effect two objects, to vindicate himself and his friends in their political conduct from unjust reproaches, and to procure a joint support of the second candidate of the party. The writer, notwithstanding a full and candid exposition of his objections to Mr. Adams, and his apprehension that under his future auspices the federal policy might totter and fall, disclaimed all wish to withdraw from him a single vote, or to oppose any obstacle to his election. To this end the letter was prepared for only a limited and private circulation. A copy was, however, surreptitiously obtained by Col. Burr, and made public, under circumstances so base and dishonorable, as to add new infamy to a name already sufficiently blackened.

TO ALEXANDER HAMILTON.

WASHINGTON, Oct. 1, 1800.

I have received your favour of September 26th, and have made a few notes which I will write and send to you to-morrow. The style and temper are excellent. No observations occur to me upon the first part of the draught.

You will judge of the expediency of sending the letter, from the information which you possess of the public opinion. I have no lights beyond those which I suggested as from Massachusetts, in a late letter which I wrote you, and which I hope you received. The advice from that quarter was opposed to any publication with your signature. I am of opinion with you, that anonymous publications do no good. Presuming that you would want the draught, I enclose it. I will write more at large to-morrow.

I enclose a S. C. paper. There is in it a publication, not much to my mind. Mr. P. ought not to have suggested a doubt of the authenticity of the letter to Tench Coxe.

TO ALEXANDER HAMILTON.

WASHINGTON, Oct. 2, 1800.

I wrote you a hasty letter yesterday, in which I returned the draft which accompanied your favour of Sept. 26th. In my opinion the style, temper, and spirit of the composition are well suited to the object, and will do you honour. I have only to submit a few criticisms to your consideration.[a]

* * * *

I think the letter may with propriety be sent to your friends elsewhere, than in New England, if it is published at all. The letter ought and will influence the election. If it is sent merely as a defence of your character, and that of your friends, and not to influence the election, the publication should be deferred till after the election is over. A principal merit of the composition consists in its frankness. Peculiar caution is therefore necessary in stating all the motives of the publication. I have thought hitherto that Mr. Adams ought, by all fair and honourable means, to be deprived of votes.

If your letter should be sent to Connecticut in its present form, I suspect that it would be inferred to be your expectation, at least that Mr. Adams would obtain all the votes of that state. The expression of such an expectation might, in some degree, contribute to produce that effect. I expect to visit my friends in a short time, and wish the question to remain undetermined. There is a party in this state (Maryland) who consider Mr. Adams as a character exactly suited to their views, and I believe it to be their intention to give him their exclusive support. To counteract this policy, it is necessary that some federal votes should be withdrawn from Mr. Adams. This would not increase the chance of Mr.

[a] These criticisms are omitted, as, unexplained by the letter itself, they would be unintelligible; at any rate are no longer of interest.

Jefferson's election, though it would probably be the means of referring the choice of a President to the House of Representatives.

Perhaps the motives for writing the letter may be thus explained: First, that it is necessary to the defence of your character; and secondly, that for the reasons assigned, you are seriously apprehensive of fatal consequences from a re-election of Mr. Adams; that you find, however, many federalists whose opinions you respect, who entertain no such apprehensions; that your letter is dictated by a desire of informing them of facts and circumstances which have guided your judgment, and of which they are presumed to be unacquainted; that you are apprised of the bad consequences which might result from a public investigation of the conduct and character of Mr. Adams, and that deference for the opinion of those who are his friends and supporters, has induced you to confine the circulation of your letter to gentlemen of known respectability and prudence, who will dispassionately weigh your objections, and decide according to what shall appear to be the true interests of the country.

What precedes, is written upon the supposition, that the letter is to be transmitted according to your suggestion; but as to the measure itself, I can give no opinion; my feelings and individual judgment are in favour of it. I never liked the half way plan which has been pursued. It appears to me that certain federalists are in danger of losing character in the delicate point of sincerity. Nevertheless, when I consider the degree of support which Mr. Adams has already received; that our friends in Massachusetts say, that they still prefer the election of Mr. Adams; that the country is so divided and agitated, as to be in some danger of civil commotions. I cannot but feel doubt as to any measure, which can possibly increase our divisions. You can judge of the state of public opinion in the eastern States, better than I can. If the popular sentiment is strong in favour of Mr. Adams; if the people in general approve of his late public conduct, or if there is any want of confidence in Gen. Pinckney, I should think the publication ought to be suppressed. If, on the contrary, the publication would increase the votes for Gen. Pinckney, and procure support to him in case he should be elected, it would certainly be beneficial. Notwithstanding your impression to the contrary, I am not convinced that Mr. Adams can seriously injure your character. At the moment of an election, many men who consider themselves honest, will affect to be convinced of things which, in more serene moments, they cannot bring their minds to support.

FROM JOHN ADAMS.

QUINCY, October 4, 1800.

Dear Sir,

Enclosed is a letter from Mr. ———, with a certificate in his favour, from Governor Wood. I suppose the letter comes too late, but that if it had arrived earlier, it would have made no alteration in your judgment, or mine. Neither Mr. Parker, or any other person, ever had authority from me, to say that any man's political creed would be an insuperable bar to promotion. No such rule has ever been adopted. Political principles, and discretion, will always be

considered, with all other qualifications, and well weighed, in all appointments. But no such monopolizing, and contracted, and illiberal system as that alleged to have been expressed by Mr. Parker, was ever adopted by me.

Washington appointed a multitude of democrats and Jacobins of the deepest dye. I have been more cautious in this respect; but there is danger of proscribing, under imputations of democracy, some of the ablest, most influential, and best characters in the Union. Enclosed is a letter from —— ——, requesting to be collector at Portland. I send you these letters that they may be filed in your office, with others relative to the same subjects. I am, sir, with great regard, &c.,

J. ADAMS.

FROM GEORGE CABOT.

BROOKLINE, Oct. 5th, 1800.

My Dear Sir,

A letter from Mr. Gore, dated Aug. 21st, informs me that the Americans who daily arrive in London from Paris, are generally, if not universally, of opinion that nothing will be effected by our envoys. These itinerants seem to think, too, that we are in the wrong; not because we have humbled ourselves before the great nation, but because our humility is limited by the instructions, which ought to have permitted the acceptance of such terms as France would prescribe.

I have already intimated to you my fears, that the high and well-tempered mind of our excellent friend Ellsworth, has been shaken, perhaps by sickness, in part, but in part also, by the events which he has witnessed, and others which he apprehended; and all aggravated by the acts and management of a set of people at Paris, employed for that purpose, as the Kosciuskos, Barlows, &c., &c. For my own part, I rejoice exceedingly, that Mr. Jay's treaty contains a bar to such conventions as the French insist on. On this point, I published yesterday in the Centinel, as "One of the American People," a few ideas which occurred on reading the Paris article; and I have sent to the same press for Wednesday's paper, some further remarks on the imprudence, as well as insidiousness of all the dogmas and doctrines of the French, respecting the commercial rights of neutrals. All which, I consider, are maintained by them with the sole view of engaging the neutrals to become pledged to support a system by which France can have her own commerce covered, or neutrals be brought to fight for her. You know I am too indolent to illustrate, and enforce these ideas as they merit, but the hints will be useful to abler, and more active men. Great pains are taken by Dr. Morse, and some few others, to effect a reconciliation, as it is called, between the P., and those who disapprove his politics; but though well meant, the attempt is absurd. We believe the President's course leads to the division, disgrace, and ruin of the federal cause. He denounces us for entertaining these sentiments; no personal good humour can alter the fact. I am one of a few, who prefer remaining under Presidential frowns and displeasure, rather than by visiting him, or any other act, to indicate to the public that I have renounced opinions which are completely established, or that I can abandon men in public life, whose conduct and character, I think, ought to endear them to every friend of order, virtue, and

public liberty. Although I still think the engagement to support Mr. A., with Mr. P., and which perhaps was unavoidably made, ought to be sacredly respected, yet, I am strongly inclined to believe, in our untoward situation, we should do as well with Jefferson for President, and Mr. Pinckney for Vice President, as with any thing that we can now expect. Such an issue to the election, if fairly produced, is the only one that will keep the federal party together, and in a state to act with renewed vigour, when circumstances shall require it. Yours, faithfully and affectionately,

GEORGE CABOT.

FROM JAMES McHENRY.

BALTIMORE, 12 Oct., 1800.

(Confidential.)

Dear Sir,

It is now reduced to almost a certainty, that the late election in this State has given a majority of democratic, and Jacobinic members to our next House of Delegates; consequently, all expectations of an election of electors of President, &c., by our Legislature, may be considered as completely extinct.

What appears to be the present state of the public mind in Maryland, as it respects the approaching election for President, &c., by the people, or the prospect of votes for Mr. Adams, and Gen. Pinckney?

As far as my observation extends, there is every symptom of languor, and inactivity, with some exceptions, among the well informed federalists, which every new recurrence to the conduct and character of the chief, seems rather to increase, than diminish. Mr. Charles Carroll, of Carrollton, did not go down to Annapolis, from his country residence, to aid in the election of members for our legislature. I also know many others who did not vote on the occasion.

My friend, what terrible mischiefs to a country may one man occasion, who has the folly to think that he can change its systems and opinions as easy as his secretaries, or create, by a mere political movement and ambiguous behaviour, a new party to maintain him in power. But it is the same species of madness or folly, which he has displayed as President, that induced him to imagine, when ambassador at London, and to mention it in one of his official letters, that he could shake the British ministry from their seats simply by making a visit to the heads of opposition. Add to all this an actual extension of Jacobinic principles, the effects of which are becoming every day more visible, with an administration unwilling or unable to fetter the tyrant, or destroy this noon-day pestilence.

For some time after my return to this state, I thought it probable that we should obtain seven, or at least six votes for Mr. Adams and General Pinckney. Now, the probability goes scarcely to five, and may terminate in four only. Do not, therefore, I entreat you, put any reliance upon a different result or calculation that may promote more. If you do, my opinion is you will be disappointed.

Such, my dear sir, is the sad situation into which a federal state has been brought. Will Providence yet condescend to save us?

Adieu, and believe me now and always your faithful and affectionate friend,

JAMES McHENRY.

FROM OLIVER ELLSWORTH.

HAVRE, October 16, 1800.

Dear Sir,

You will see our proceedings and their result. Be assured more could not be done without too great a sacrifice, and as the reign of jacobinism is over in France, and appearances are strong in favour of a general peace, I hope you will think it was better to sign a convention than to do nothing. Sufferings at sea and by a winter's journey through Spain, gave me an obstinate gravel, which, by wounding the kidneys, has drawn and fixed my wandering gout to those parts. My pains are constant, and at times excruciating; they do not permit me to embark for America at this late season of the year, nor, if there, would they permit me to discharge my official duties. I have, therefore, sent my resignation of the office of chief justice, and shall, after spending a few weeks in England, retire for winter-quarters to the south of France.

I pray Mrs. Wolcott to accept of my best respects, and shall ever remain, dear sir, your affectionate friend,

OLIV. ELLSWORTH.

P. S. You certainly did right not to resign, and you must not think of resigning, let what changes may take place, at least till I see you. Tho' our country pays badly, it is the only one in the world worth working for. The happiness it enjoys and which it may increase, is so much superior to what the nations of Europe do or ever can enjoy, that no one who is able to preserve and increase that happiness ought to quit her service while he can remain in it with bread and honour. Of the first, a little suffices you, and of the latter, it is not in the power of rapine or malevolence to deprive you. They cannot do without you, and dare not put you out. Remember, my dear friend, my charge—keep on till I see you.

O. E.

It is now necessary to return to the embassy and notice its progress and results.

Ellsworth and Davie left Newport on the 3d of November, having previously agreed to touch at Lisbon, where they arrived on the 27th. Still another era had occurred in the fruitful history of France since they left home. The revolution had gone through all its phases but the last, and that was at hand. A new power was introduced into the state—the power which "ends all popular evils but cures none,"—the power of the SWORD.[a] They found the

[a] Fisher Ames, MSS.

revolution of November (18th Brumaire) accomplished, the council driven from its halls at the point of the bayonet, the Directory dissolved, the constitution overturned, Bonaparte first consul. This change, though not what had been expected or foreseen, was momentous enough to have justified the delay recommended by the cabinet.

Information of this event awaiting them, it was at first thought proper to remain there until some judgment could be formed of the consequences of that change of government, but on the 8th December they determined to sail for L'Orient and thence proceed to Paris, if they were satisfied that their letters of credence would avail them. They were, however, detained some time further by a continuance of contrary winds, and were finally obliged to put into Corunna, which port they reached on the 16th of January. Letters were immediately addressed to M. Talleyrand, who retained his office under the new government, the answers to which they awaited at Burgos.

With the change of rulers had come a change of policy. The vast schemes of Bonaparte already included the formation of a maritime league against Great Britain, and his sagacity perceived the necessity of adding to it so important an ally as the United States. Talleyrand informed the envoys that they "were expected with impatience and would be received with warmth," and that the form of their letters of credence would present no obstacle to their reception. On receipt of this information accordingly, they proceeded to Paris, where they arrived on the 2d of March. Mr. Murray had reached there the day previous. The three were received by the first consul in form, on the 8th, and Joseph Bonaparte, Fleurieu, and Rœderer were appointed to treat with them. It was not, however, until the 2d of April that the first conference was had, and the business was even then delayed some days by the want of sufficient powers on the part of the French ministers. Further authority being at length obtained, the

negotiation commenced. The formation of a treaty on the footing desired by the United States, it soon, however appeared, was as distant as ever.

It is not intended here to review the progress of the affair; it is deemed sufficient to give the account rendered by the envoys, in a letter to Secretary Marshall, of Oct. 4th.

"The claim of indemnities brought forward by them, was, early in the negotiation, connected by the French ministers with that of a restoration of the treaties, for the infractions of which the indemnities were principally claimed. To obviate this embarrassment, which it had not been difficult to foresee, the American ministers urged, in the spirit of their instructions, that those treaties having been violated by one party and renounced by the other, a priority had attached in favour of the treaty with Great Britain, who had thereby acquired an exclusive right for the introduction of prizes; wherefore that right could not be restored to France. The argument was pressed, both by notes and in conferences, as long as there remained a hope of its utility, and until there appeared no alternative but to abandon indemnities, or, as a means of saving them, to renew, at least partially, the treaty of commerce. Whether, in fact, it could or could not be renewed consistently with good faith, then became a question for thorough investigation."

The reasoning upon which they arrived at the conclusions they did, to wit, that the treaties could be renewed, it is not necessary to mention, as the matter fell through. These considerations, such as they were, "induced them to be unanimously of opinion that any part of the former treaties might be renewed consistently with good faith."

"They then offered a renewal, with limitations of the seventeenth article of the commercial treaty, which, without compromiting the interests of the United States, would have given to France what her ministers had particularly insisted on as essential to her honour, and what they had given reason to expect would be deemed satisfactory. The overture, however, finally produced no other effect than to enlarge the demand of the French ministers, from a partial to a total renewal of the treaties; which brought the negotiation a second time to a stand.

The American ministers, however, after a deliberation of some days, the progress of events in Europe continuing in the meantime to grow more unfavourable to their success, made an ulterior advance, going the whole length of what had last been insisted on. They offered an unlimited recognition of the former treaties, though accompanied with a provision to extinguish such privileges claimed under them, as were detrimental to the United States, by a pecuniary

equivalent, to be made out of the indemnities which should be awarded to American citizens, a compensation which, though it might have cancelled but a small portion of the indemnities, was nevertheless a liberal one for privileges which the French ministers had often admitted to be of little use to France, under the construction which the American government had given to the treaties.

This offer, though it covered the avowed objects of the French government, secured an engagement to pay indemnities, as well as the power to extinguish the obnoxious parts of the treaties. To avoid any engagement of this kind, the French ministers now made an entire departure from the principles upon which the negotiation had proceeded for some time, and resumed the simple unqualified ground of their overtures of the 23d Thermidor;[a] declaring that it was indispensable to the granting of indemnities, not only that the treaties should have an unqualified recognition, but that their future operation should not be varied in any particular, for any consideration or compensation whatever. In short, they thought proper to add, what was quite unnecessary, that their *real object was to avoid* indemnities, and that it was not in the power of France to pay them.

No time was requisite for the American ministers to intimate that it had become useless to pursue the negotiation any farther.

It accorded as little with their views as with their instructions, to subject their country perpetually to the mischievous effects of these treaties, in order to obtain a promise of indemnity at a remote period; a promise which might as easily prove delusive as it would reluctantly be made; especially, as under the guaranty of the treaty of alliance, the United States might be immediately called upon for succours, which if not furnished, would of itself be a sufficient pretext to render abortive the hope of indemnity.

It only remained for the undersigned to quit France, leaving the United States involved in a contest, and according to appearances, soon alone in a contest, which it might be as difficult for them to relinquish with honour, as to pursue with a prospect of advantage; or else to propose a temporary settlement, reserving for a definite adjustment, points which could not then be satisfactorily settled, and providing, in the meantime, against a state of things of which neither party could profit. They elected the latter, and the result has been the signature of a convention."

Its provisions were thus defended:

"Of property not yet definitely condemned, which the fourth article respects, there are more than forty ships and cargoes, and a number of them of great value, at present pending for decision before the council of prizes, and many others are doubtless in a condition to be brought there, if the claimants shall think fit.

[a] 11*th August*. "Either the ancient treaties, carrying with them the privileges resulting from anteriority, together with stipulations for reciprocal indemnity; or a new treaty, promising equality, unattended with indemnities."

Guards against future abuses, are perhaps as well provided for as they can be by stipulations.

The article respecting convoys may be of use in the West Indies, till it shall be more in the power of the French government than it is at present, to reduce the corsairs in that quarter to obedience.

As to the article which places French privateers and prizes on the footing of those of the most favoured nations, it was inserted as drawn by the French ministers, without any discussion of the extent of its operation; the American ministers having, in former stages of the negotiation, repeatedly and uniformly declared, agreeably to the rule of construction settled by the law of nations, that no stipulation of that kind could have effect as against the British treaty, unless the stipulations were derived from the former treaties, which it is here expressly agreed shall have no operation whatever. This article, however, is less consequential, as it will soon be in the power of the United States; and doubtless, also within their wisdom, to refuse to the privateers and prizes of any nation, an asylum beyond what the rights of humanity require."

The envoys concluded:

"If with the simple plea of right, unaccompanied with the menaces of power, and unaided by events either in Europe or America, less is at present obtained than justice requires, or than the policy of France should have granted, the undersigned trust that the sincerity and patience of their efforts to obtain all that their country had a right to demand, will not be drawn in question."

The convention, though it contracted peace, and provided for a revival of commerce, secured few of the specific objects which had been the motive of the embassy. With regard to indemnities for the spoliations, and the questions growing out of the former treaties, it was merely agreed that the parties "would negotiate farther at a convenient time," and that until they had adjusted these points, the treaties should have no operation, and the relations of the two countries should be regulated according to forms prescribed in the new convention.[a] The debts due by the government of France to citizens of the United States, were covenanted to be paid as if no misunderstanding had taken place between the two countries,[b] but no provision was made for the time or mode of their set-

[a] Art. II. [b] Art. IX.

tlement.[a] For the rest, it was agreed that public vessels, captured before the exchange of ratifications, should be restored, a provision to the advantage of France alone; private property not yet condemned, was also to be given up. Commerce between the two countries was placed on the footing of the most favored; contraband articles were limited and specified, and it was provided that the vessel, and not the rest of the cargo, should be affected by their presence. Free ships were, in other cases, to make free goods, though the property of an enemy; and goods laden on board enemy's ships, after the knowledge of the war, were to be confiscated without distinction. Merchant vessels, in time of war, were to be furnished with passports and certificates; but the want of a passport should not occasion condemnation, if other proofs existed. Ships examined under the right of search, were to be visited in boats, the armed vessel remaining out of cannon shot; and merchant ships under convoy, were not to be visited, but the verbal declaration of the commander of the convoy was to be deemed satisfactory. Prizes were to be condemned in the established courts alone. Armed vessels and their prizes were not to pay duty or be examined on entering ports; and privateers of a third power, at war with one of the parties, were not to be allowed to fit in the ports of the other.

Such were the principal provisions of the treaty as regarded commerce.

It will be seen that no advantages whatever were gained by the United States, beyond mere peace and the liberty of trading with security; or rather, beyond the promise of these things. And so far as maritime security was concerned, the utter annihilation of the French marine, and the arming of our vessels had provided that. With respect to peace, the commerce of almost the only con-

[a] These were only provided for in 1800, when the Louisiana cession was made, and then by their assumption by the United States.

siderable neutral in the world was much more important to France than hers to the United States, which could find markets elsewhere. Persistance in our former policy, could therefore have risked but little, and might have gained much.

The principles of this treaty, as well as of the one negotiated the year before, between the United States and Prussia, as regarded neutral rights, formed the basis of a confederacy, offensive and defensive, entered into between France and the northern powers in December of this year,[a] which was in fact the revival of the armed neutrality of 1780; and was in pursuance of the steadfast design, never after relinquished by Napoleon, of crushing the maritime supremacy of Great Britain. But the navy of France was already destroyed. Hardly even a privateer now ventured from her harbors. The other powers, quickly and successively struck down, were forced to abandoned an agreement which had been planned by its originator only for the advantage of France, without the power on her part to support them in its maintenance; and which, though beneficial to them as neutrals, if generally admitted, they could not enforce even by war. Between France and the United States, the treaty, as one of neutral concessions, nominally remained good; but experience proved to our cost that it was destined, during Napoleon's administration, to as slight an observance as the one which it had replaced. The Berlin and Milan decrees were but the counterpart of those of the Executive Directory.

Mr. Adams' complacent self gratulations upon it will be hereafter given. One extract only, requires place here.

"The French have not as yet, gained any great and unjust advantages of us by all their policy. Our Envoys were precisely instructed. Every article was prescribed, that was to be insisted on as an ultimatum. In a treaty, they could not depart from a punctillio. A convention they might make, as they did, at

[a] See Alison's History of French Revolution, IV. ch. XXXIII.

their own risque. But the President and Senate were under no obligation to ratify it. Had it betrayed a single point of essential honour or interest, I would have sent it back as Mr. Jefferson did the treaty with England, without laying it before the Senate. If I had been doubtful, the Senate would have decided.

Where then was the danger of this negotiation? No where but in the disturbed imagination of Alexander Hamilton. To me only was it dangerous. To me, as a public man, it was fatal, and that only because Alexander Hamilton was pleased to wield it as a poisoned weapon, with the express purpose of destroying. Though I owe him no thanks for this, yet I most heartily rejoice in it, because it has given me eight years, incomparably the happiest of my life; whereas, had I been chosen President again, I am certain I could not have lived another year. It was utterly impossible that I could have lived through one year more of such labours and cares, as were studiously and maliciously accumulated upon me, by the French faction, and the British faction; the former aided by the Republicans, and the latter by Alexander Hamilton and his satellites."[a]

[a] To Cunningham. Letter XII.

CHAPTER VII.

SIXTH CONGRESS—SECOND SESSION.

Previous to the session, the usual requisition had been sent to the Secretaries.

FROM THE PRESIDENT.

QUINCY, Sept. 20th, 1800.

Dear Sir,

It is high time for me to request that you would seriously revolve in your thoughts, the subject of communications, both of intelligence and advice, to be made to Congress at the opening of the approaching session, and favour me with your sentiments upon the whole subject as soon as possible. I shall leave this place on Monday, the 13th of October. No letters should be directed to me here, which are to arrive after that day. With great esteem, &c.

JOHN ADAMS.

TO THE PRESIDENT.

Nov. 11th, 1800.

The Secretary of the Treasury, in compliance with the request of the President of the United States, signified in his letter of September 20th, respectfully submits the following facts and observations, relative to certain subjects proper to be noticed in the speech, at the commencement of the ensuing session of Congress.

The revenue of the United States, from imports and tonnage, during one year preceding the 1st of October, 1797, amounted to - -	$7,353,688 41
During one year preceding Oct. 1, 1798, - -	7,405,420 86
During one year preceding Oct. 1, 1799, - -	6,437,086 34

The product of all internal revenues, during the three years above mentioned, has been as follows; the duties on stamps have been collected only since July 1st, 1798. To October 1st, 1797, - - - $571,051 55

To October 1st, 1798, - - - - -	585,879 67
To October 1st, 1799, - - - - -	773,562 00

The revenue during the year prior to October 1st, 1800, has been as follows:

From imports and tonnage, - - - -	$8,847,095 51
From internal revenues, the direct tax excepted, - -	815,148 34
From the direct tax, - - - - -	378,286 35

It thus appears that the revenue is in a flourishing and prosperous state, such as will justify the following observations to the House of Representatives.

"GENTLEMEN,

I shall direct the estimates of the appropriations necessary for the service of the ensuing year, to be laid before you, with an account of the public revenue and expenditure to a late period.

I observe with much satisfaction, that the product of the revenue, during the present year, has been more considerable than during any former period. This result affords conclusive evidence of the great resources of this country, and of the wisdom and efficacy of the measures which have been adopted by Congress for the protection of commerce and preservation of public credit."

The Secretary respectfully suggests, that it may be expedient to invite the attention of Congress to measures for protecting and encouraging the manufacture of arms, which has at length, after great care and attention, and with considerable expense to the public, been brought to a state of such maturity and perfection, as with continued encouragement will supersede the necessity of future dependence on importations from foreign countries.

The intention that Wolcott had for some time revolved, of retiring from the cabinet, was executed shortly before the opening of the session. On finding that the election of Gen. Pinckney was no longer a probability, and considering that his position as regarded Mr. Adams would prevent his continuing in office under him with delicacy or self-respect, he tendered his resignation to take effect at the end of December.

TO THE PRESIDENT.

TREASURY DEPARTMENT, Washington, Nov. 8, 1800.

Sir,

I have, after due reflection, considered it a duty which I owe to myself and family, to retire from the office of Secretary of the Treasury, and accordingly I

take the liberty to request that the President would be pleased to accept my resignation, to take effect, if agreeable to him, only at the close of the present year.

In thus suggesting my wishes, I am influenced by a desire of affording the President suitable time to designate my successor, and also of reserving to myself an opportunity to transfer the business of the department without injury to the public service.

FROM THE PRESIDENT.

WASHINGTON, Nov. 10, 1800.

Dear Sir,

I have received your letter of the 8th of this month, and am sorry to find that you judge it necessary to retire from office. Although I shall part with your services as Secretary of the Treasury with reluctance and regret, I am nevertheless sensible that you are the best and the only judge of the expediency of your resignation.

If you persist in your resolution, your own time shall be mine. I should wish to know whether, by the close of the present year, you mean the last of December or the fourth of March. If the first, it is so near at hand that no time is to be lost in considering of a successor. I am, with great esteem, your most obedient and humble servant,

JOHN ADAMS.

TO THE PRESIDENT.

WASHINGTON, Nov. 11, 1800.

I have the honour to acknowledge with thanks the President's obliging letter of yesterday. The time contemplated by myself for retiring from office, is the last day of December next. It will, however, be necessary for me to remain here several weeks after my resignation takes place, whenever that event may happen, for the purpose of completing the business which will have been by me previously commenced.

Notwithstanding my resignation will take place, agreeably to the President's permission, on the last day of December, any services which I can afterwards render while here, will be at the disposal of my successor or the government.

FROM THOMAS FITZSIMMONS.

PHILADELPHIA, 7 Nov., 1800.

Dear Sir,

The advices received by the last ships from London, have strangely excited the curiosity of all people here, tho' as yet nothing is known except from the public papers; it is a little strange that the private correspondents of the merchants are silent, as well as to the connexion agreed on between the American ministers and the French government, as to the opinion of peace generally, both objects being

extremely important to the commercial interests of this country. I hope that what can be communicated with propriety by government, will be done officially or informally as soon as possible. The property of the merchants of this country may be materially affected by the knowledge of what has taken place or is likely to take place in Europe. I have a letter from Sitgreaves, of 4th August, which says not a word of our commerce in France or of the general aspect of politics. He has sent me a publication called the Anti-Jacobin Review, in which, he says, I shall find the utmost insolence of language and the most shameful falsehoods. In all the affairs of our country you will notice the affectation of calling us the *United Colonies*, the perpetual recurrence of the terms *rebel and rebellion*, &c., &c. We are much astonished at the delay of our government in answering Mr. King's despatches on the subject of Lord Grenville's proposals; on this I shall make no other observations than that I conclude from it that Mr. Sitgreaves will remain in England till our government shall direct his return. I shall hope to be favoured with any information on the subject above alluded to at a proper time, and am with much respect your most obliged servant,

THOMAS FITZSIMMONS.

FROM JAMES McHENRY.

BALTIMORE, 9 Nov., 1800.

Dear Sir,

The enclosed letter contains the sentiments of Mr. Carroll on some important points. You will be pleased to return it, and the copy of the letter which accompanies it.

To-morrow, the electors of this state are to be chosen by the people in their respective districts. Here, we shall make little or no exertions for the federal candidate; not from any indifference to the good old cause, but from a kind of conviction that our labour would be lost, and an opinion pretty generally imbibed of the utter unfitness of one of the federal candidates to fill the office of President.

Indeed, almost every well informed man, whose sentiments I have been able to ascertain, has but one way of thinking respecting the present chief. Whether he is sportful, playful, witty, kind, cold, drunk, sober, angry, easy, stiff, jealous, careless, cautious, confident, close, open, it is almost always in the *wrong place* or to the *wrong persons*. For such a chief, who has not the wisdom, "*stultitia caruisse*," who can contend or encourage others to contend? In truth I cannot.

What kind of convention have our beleaguered ambassadors made with Bonaparte? and what point have they left undecided or referred to Mr. Jefferson? If they have not sent you out of the cabinet do tell me? The copy of the convention is said to have got to the seat of government.

I have been told Mr. Marshall has signified that he does not mean to resign in the event of Mr. Jefferson being elected President, but to wait most patiently the development of his politics. Will there, my friend, be so great an antipathy between the politics of the two gentlemen, that one of them must fly off from the other? I am, dear sir, yours truly and affectionately,

JAMES McHENRY.

TO MRS. WOLCOTT.

WASHINGTON, Nov. 12, 1800.

I have written to the President, informing him of my intended resignation at the close of the present year, and have received a gracious answer. I must stay here a few weeks in January to close my business, but you may be assured I will return to you as soon as possible.

A few days since the War Office caught fire. Every book and paper of the Secretary's office was lost. The papers of the Accountant's office were principally saved. Mr. Dexter and family arrived the evening of the fire, and all escaped imminent danger of death at Georgetown by the overthrow and entire demolition of his carriage. Fortunately they all escaped without essential injury. The papers mention that I was in danger at the fire; this is a mistake.

TO JAMES McHENRY.

WASHINGTON, Nov. 15, 1800.

I have received your favour of Nov. 9th. We know nothing of a treaty with France, except what appears in the papers. It is probable that one has been signed, but we cannot form any conjectures respecting its substance or complexion. The only great event which has occurred since my arrival, is the burning of the War Office. Every paper and record of the Secretary's office has been lost. I thought at first that some villain had done this mischief, but it appears probable, on examination, that the fire communicated through a thin partition wall of the adjoining house to the Library. This is an irreparable misfortune, and infinitely to be regretted.

Mr. C.'s opinions are such as were to have been expected from a wise, virtuous, firm, and experienced man. I have long considered this gentleman as one of the most distinguished props of society in our country. How greatly must we regret that our affairs have not been under the direction of such a character.

TO GEORGE CABOT.

WASHINGTON, Nov. 16th, 1800.

I received your favour of Oct. 5th, a few days since, after my return from a visit from Connecticut. We know nothing more of the result of the mission to France than what appears in the papers. A treaty has unquestionably been signed, although our previous information justified a confident belief that nothing would be done. I fear there are grounds for the apprehensions you suggest, and I shall be happy if the embarrassments which the mission to France have already occasioned, are not increased by its future consequences. Let us not, however, anticipate difficulties, but prepare to meet them.

After due reflection, I have considered it to be my duty to retire from office. I have accordingly written a respectful letter to the President, offering my resig-

nation at the close of the ensuing month, to which I have received an obliging answer. I reflect with satisfaction that the business of the treasury department has not suffered in my hands; that the revenue of the present, greatly exceeds that of any former year, and that loans can be obtained if necessary. It would be affectation to pretend that my resignation has not been attended with a conflict of emotions. I can, however, declare that none of them have been of a nature to produce self crimination, and I presume to hope that my future conduct will evince a zealous attachment to the interests of my country and its government, and sincere gratitude to those who have honoured me with their confidence, friendship, and support.

FROM JAMES McHENRY.

BALTIMORE, 19th Nov., 1800.

Dear Sir,

I received yesterday your letter of the 15th inst. The conflagration of the papers and records of the office of the Secretary of War is indeed a great public misfortune, and must be productive of long and positive evils. I lament it in a national and individual point of view. What will it not enable the calumniator to say and insinuate, and how shall the innocent man find his justification? In his innocence and the uniform tenor of his life and conduct.

Hamilton thinks it possible, by a letter I received from him last night, that he may be obliged to reply to some of the answers to his letter, in which case he expects to reinforce his position by new facts, and asks me if I have myself seen the letter of the chief, in which he says, by a single visit to opposition, he could shake the British ministers from their seats.

As my recollection of the precise and definite meaning of a letter read seventeen or eighteen years ago, and which, thinking on the character of Mr. Adams only revived, may not be correct, will you get Mr. Griswold or Mr. Dana, to read over the letters from this gentlemen, while minister at London, which are lodged in the office of State, and accessible, by a rule of that department, to every member of Congress to read, but not to copy.

Mr. Griswold or Mr. Dana will find, I expect, the letter in question, and another respecting newspapers, and how by reading them only, a diplomatist may easily, and quickly, and without any other aid, discover the most hidden secrets of the British government. I shall refer Mr. Hamilton to Mr. G. or Mr. D., or they may give me the substance of their reading, which I shall communicate

Yours, truly,

JAMES McHENRY.

TO JAMES McHENRY.

WASHINGTON, Nov. 26th, 1800.

I have received your favours of the 19th and 20th. The rule you mention was made under the Confederation, and has not, I believe, been considered in force since the establishment of the present government. Mr. Dana is not here, and

I have not yet spoken to Mr. Griswold. I will find out the state of things, and if I can, will comply with your request. I wish you to try to dissuade Gen. H. from writing any thing more at present. We shall all live a number of years it is to be hoped. Let all the answers appear. A judgment can then be formed whether a reply to any or all of them is expedient. At present, Gen. H. will stand no chance of making a new or more forcible impression on the public mind; besides what object is to be obtained?

The issue of the election is uncertain, but if Mr. Jefferson should be chosen, Mr Marshall will certainly retire. The opposition of sentiment between these men appears to be decided, and I believe is unchangeable; what you have heard is therefore a mistake. I have read the pamphlet you have sent me, and cannot think it the production of Gen. L. The style is too low and vulgar, and perhaps it is too acrimonious. Gen. L. though disposed to intrigue, is, I believe, a good natured man; perhaps, however, the style is disguised. I will not be confident, after the many proofs you have given of a judgment superior to mine in matters of this nature.

I have resigned, and I shall go back to Connecticut in January. The business of the Treasury will be left in good order, and with a handsome sum of money in hand. If I can escape from the toils without loss of character, I will take care not to expose myself in future to such risques as I have of late encountered. With sincere friendship, I remain yours.

FROM GEORGE CABOT.

BROOKLINE, Nov. 27, 1800.

(Private and confidential.)

My Dear Friend,

Although I had long contemplated the possible event of your retirement from office, yet my mind was not quite prepared for it, when your letter of the 16th arrived. I have revolved it the greatest part of the last night, which I found impossible to pass in sleep; and I still can view the subject only as grief, or indignation present it. A government which cannot tolerate the virtues which have been exhibited in ours, cannot long enjoy the confidence of the wise and good. It cannot long be preserved pure, and will soon be thought not worth preserving. I know not how this event will operate upon the minds and feelings of others, but I can hardly doubt if pride and prejudice had not made this State so blind to Mr. Adams, they would have wished to withhold their votes at this late period. In Connecticut, they are differently circumstanced, and may dare to act according to the dictates of genuine public principles. You must indulge my wishes to know your future destiny, so far, at least, as it is foreseen by yourself. I am anxious to learn what course you have prescribed yourself, that I may direct the prayers of my heart in conformity.

If what the newspapers represent with great appearance of truth, be correct, I should think the affairs of our country are in the worst possible situation, in regard to foreign nations. We nourish all the substantial differences between us and the two leading European powers, and we wantonly throw away the

means which their rivalry affords us, to remove those differences. With the highest esteem, and purest regard, I remain ever yours,

GEORGE CABOT.

TO JEDEDIAH MORSE.

WASHINGTON, Nov. 28, 1800.

The division among the federalists, is a necessary effect of a cause which is much to be deplored. Though men may disagree respecting the merits, or faults of individuals, it is certain none can be found sufficiently submissive, to subscribe to the terms of their own dishonour. The division will therefore continue, and all attempts to reconcile it, must be fruitless.

The issue of the election of a President, is, at this time, as uncertain as ever; all depends on the vote of South Carolina, and this is claimed, and expected by both parties. I think General Pinckney cannot possibly be elected, as he will doubtless have at best, but an equal support with Adams. If the democrats are certain that Mr. Jefferson cannot be elected, they will support Mr. Adams; not from personal attachment, or confidence, but with the view of fostering, and increasing the divisions among the federalists. Violent parties first seek the gratification of their own wishes, and secondly, the disappointment of their adversaries.

I shall retire from office at the close of next month, and am happy in knowing that my friends approve of my determination, as having been adopted on proper grounds. The business of the Treasury will be left in a good situation, and I shall enjoy satisfaction in reflecting, that I have discharged my duty according to my best ability.

FROM GEORGE CABOT.

BROOKLINE, Nov. 28, 1800.

My Dear Friend,

Who is it possible to find for your successor in office? I have sought in vain, for a character competent to its duties, and who would undertake them. Indeed, there are but few, very few, who could perform them. Mr. Steele will be offended, if he is neglected, but a man ought to have more than common merits, coming from such a quarter, to secure public confidence. I will thank you, if a leisure moment occurs, to inform me, when the arrangement is made, what it is.

Writing to General Hamilton, I have taken the liberty to inform him, that some of his *respectable friends* censure him for displaying too much egotism, and vanity in his book. I know how difficult it is for a man to be told of his faults without offence; but I was encouraged to do what I thought was a necessary service, by the belief, that he cannot possibly mistake my motive, or doubt either my affection or esteem. If I have materially diminished his friendship, it will be a new spur to my cynical feelings, which already exceed those of Diogenes.

Since the success of the friends of Mr. Pinckney in our State legislature, it has

been thought by some, that if *your* policy had been pursued, and Mr. Adams renounced absolutely by the federalists, it would have been in our power to have carried Pinckney and Ellsworth, or Jay. I am not of this opinion; but I think the issue may now be as unfavourable to the permanent interest of the federal cause, as it could have been in any issue of the other course; but the truth is, local causes support Mr. Adams here too strongly; and in the middle States, where he ought to have been first openly opposed, the federalists were too weak for the operation. In Pennsylvania, nothing would have been hazarded, because all was previously lost; but in Delaware, and especially in Jersey, the attempt by dividing the federalists, would have defeated them altogether. I do not, therefore, see how the thing could well have been managed very differently. Your resignation gives great pain to the few persons whom I have made acquainted with it, and will doubtless excite general uneasiness among the sober people, and those who have much property. Accept my unfeigned regards,

GEORGE CABOT.

The President's speech was delivered on the 22d of November, and contained merely brief notices of the principal topics of public interest. He alluded in becoming terms, to the circumstances under which Congress met, for the first time, in the permanent seat of the federal government, and the sentiments to which the occasion gave rise. The disbanding of the army was adverted to, a revision of the judiciary system earnestly recommended, and the state of foreign affairs mentioned. The treaty of amity and commerce with Prussia, had been promulgated; negotiations were still pending with the court of Great Britain, in regard to the suspension of the Board of Commissioners; and expectations were entertained of a successful conclusion of the negotiations with France. A continuance of the system of naval defence, and fortification of seaports, as part of the policy of the government, was urged, as well as the encouragement of the manufacture of arms. In reference to the revenue, the language of the Secretary's letter was adopted.

On the same day, Wolcott announced his prospective resignation to the House, and requested an investigation of the affairs of his Department, in the following letter.

TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT,
WASHINGTON, Nov. 22, 1800.

I deem it proper through you, to inform the House of Representatives, that I have obtained the permission of the President of the United States, to resign the office of Secretary of the Treasury, at the close of the present year.

I indulge a hope, that I may without presumption declare, that the different offices with which I have been entrusted since the establishment of this Department, have been executed according to my best skill and judgment; with a conscientious regard to the rights of the public, and of individuals, and under an impressive sense of responsibility to the government. In conformity with these professions, I now fully submit the whole of my conduct to any investigation which the House of Representatives may be pleased to institute.

I cannot omit this only opportunity which may ever be afforded, of expressing the sincere sentiments of gratitude which I now feel, and shall ever cultivate, for the many proofs of confidence and indulgence, which I have experienced in the course of my official communications with the legislature. At the same time, I request that if the liberty I have now taken, to invite their attention to a matter of personal concern should be deemed in any degree unsuitable, the errour may be attributed to a just, and reasonable desire, that my conduct and character may, on proper evidence, appear to have deserved their approbation.

This letter was referred to a committee consisting of Messrs. Otis, Nicholas, Griswold, Nicholson, Waln, Stone, and Craik, with instructions "to examine into the state of the Department of the Treasury; into the mode of conducting the business thereof; and into the expenditure of the public money; and to report such facts and statements, as might conduce to a full understanding of the transactions of the Treasury, since the same had been under the superintendence of the officer then at the head of that Department." Their report will be presently considered.

The report to the commissioners of the sinking fund was made on the 27th of November, and on the next day communicated to the Senate.

The total amount of stock purchased and transferred prior to the year 1799, the interest of which was appropriated by law to the reduction of the debt, amounted to - - - - - - $4,704,219 60

And consisted of the following items, viz:

Six per cent. stock,	1,841,607 09	
Three per cent. stock,	614,836 47	
Deferred six per cents.,	966,376 04	
Five per cent.,	1,280,000 00	
Five and a half per cent.,	14,000 00	
		$4,704,219 60

The following had been applied to the discharge of principal of the debt since the date of the last report; viz:

Fifth instalment of six per cent. stock,	716,894 36	
Eighth instalment of stock loan,	200,000 00	
Instalments of Dutch loans,	400,000 00	
		$1,316,894 36

The whole of which was received from constituted revenues.

The statement of the internal revenues for one year preceding December 31, 1799, was reported on the 22d December. It exhibited a progressive and steady increase, highly favorable to that branch of the national resources. The amounts were as follows, viz:

Domestic spirits and stills,	506,652 50	
Sugar, refined,	55,272 42	
Licenses to retailers,	66,434 16	
Sales by auction,	46,135 55	
Carriages,	79,482 51	
Stamped vellum, &c.,	241,123 48	
Total amount,		$995,100 62

Of this gross amount, the sum of $779,136 44 had been during that year received into the treasury. Balances of arrears, it is to be remembered, were annually added to the receipts for some years after the expiration of the tax.

In connexion with Wolcott's retirement from the treasury, it will be proper to notice briefly the condition in which the public finances stood, at the end of the year 1800. The measures of the anti-federalists on coming into power, with regard to this department, are reserved for a future occasion. A more general political retrospect will be entered upon, in speaking of the close of Mr. Adams' administration.

The amount of the national debt at the commencement of the year, has already been stated, in narrating the proceedings of the last session of Congress. During 1800 it had varied but little; on the one hand, a sum of about a million and a half had been borrowed under the act of May 7th;[a] on the other, reimbursements of the foreign and domestic debt, and of the temporary loans, had been made to a nearly equal amount.

The revenue from imports and tonnage, during the financial year, preceding the 1st of October, had, as appears from the letter to the President, increased by nearly two millions and a half above that of 1799, and by nearly a million and a half over that of any previous year. The last quarter of the civil year, raised the nett amount from these sources still higher; and these duties from the first of January to the last of December, 1800, exceeded nine millions of dollars. In the same manner the internal duties and the direct tax were swelled in amount, and the total nett receipts for the last named period, from all sources, fell little short of eleven millions.[b]

These amounts, it should be remarked, were properly the revenues of 1799, which of course became available only in this year. The revenues accruing in 1800, and received into the treasury in 1801, reached nearly to thirteen millions.

The estimates for the service of 1801 were transmitted on the 10th of December. The sums requisite for all expenditures, other than the public debt, amounted to $5, 529,695 35, of which was for the civil list, including the contingent expenses of the several departments and offices, $594,701 37; for expenses incident to foreign missions, $361,364 00. The expenses of the army and navy of course formed the principal items.

[a] Authorizing a loan, in consequence of falling off in the revenue of 1799 from the depredations of 1798.

[b] Pitkins' Statistics. 2d Ed. p. 420.

The report also contained an account of the receipts and expenditures of the United States, from the 1st October, 1799, to 30th September, 1800; by which it appeared that the whole expenditures of the United States, for that period, including the sums expended in carrying into effect the treaties with the Mediterranean powers, with Great Britain and Spain, and the sums of $3,548,617 35 for interest and reimbursements of the domestic funded debt, of $695,717 41, being interest and reimbursement on the Dutch debt, and over $400,000 for interest and reimbursement of domestic loans, had been $11,842,825 30. That the aggregate receipts had been for the same period, $15,362,161 75, and that there was in the hands of the Treasurer, on the 30th September, after deducting warrants issued but unpaid, $3,419,363 84.

The additional regiments having been disbanded, the whole appropriation required for the army, was $2,093-000. On the recommendation of the Secretary of the Navy, the President was authorized to cause all the vessels, excepting thirteen frigates, to be sold, and of these, six only were in time of peace to be kept in commission. The aggregate appropriations for the naval service, accordingly amounted only to $3,042,352 95.

From these facts it appeared that the public finances were in a sound and healthy condition; that even during this year, when the serious deficiencies in the revenues of the preceding one required to be made up, the debt had been increased but by a few thousand dollars, that when freed from the extraordinary demands arising from a state of *quasi* war, the existing revenues were more than adequate to the necessities of the government and the annual charges of interest and reimbursement; that increasing commerce and enlarged resources were fast raising their amount; and that a continuance of the existing system would, in case of peace, surely and with reasonable despatch have provided for the extinction of the debt, at the

same time that a comprehensive policy and wise care for the future maintained the defensive establishments of the country. The increase which, during the twelve years of the federal administration, had taken place in the national indebtedness, has been explained from time to time. Enough, it is supposed, has been said to show to any candid mind that no measures which could have been adopted by the government could, under the circumstances in which the United States were placed, have prevented this enlargement; that on the contrary, the conduct of the party chiefly responsible for the management of public affairs, by an admixture of moderation and firmness, prevented the enormous increase which must have arisen from a renewed war with the great maritime power of Europe, and so far as they were permitted, preserved it from the aggressions of the non-commercial nations, France and the Barbary states; that consistent with its great principle, it had always endeavored to provide by immediate additional revenues for every unavoidable addition of expenditures; that a steady adherence to this object had only been prevented by the factiousness of opposition; that in a word, the administration of government had, when the difficulties under which it labored are considered, avoided all the evils and secured all the advantages which could be demanded in fairness and justice. It may hereafter become necessary to institute a comparison between these and the circumstances of succeeding years, to ascertain whether any and what were the improvements introduced by those now shortly to enter upon the direction of the finances and the government.

FROM JAMES McHENRY.

BALTIMORE, 2 Dec., 1800.

Dear Sir,

I have received your letter of the 26th Nov. ultimo.

Thinking, as you do, relative to the necessity or expediency of any answer by Hamilton at this time to the animadversions on his letter to the President, I have

pointedly advised him against it. What he intends I am not informed, but incline to think he will postpone. But whether he does or not postpone, still it will be proper to ascertain the real import and meaning of the two official letters in question, that I may either acquit or censure my memory. The rule giving admission to members of Congress to the papers in the office of state, was made under the confederation by the old Congress, but has been uniformly practiced upon since the establishment of the present government. This I know to be a fact.

That toils and snares were laid to entrap you, I have long suspected, while I lamented the baseness and duplicity of men who seemed to me to colleague together for no worthy purpose. How many stunted, idling knaves, think you, there are in Denmark, at this blessed moment perched and buzzing round the throne? and how many arrant intriguers of our acquaintance, among the busy swarm who court the smiles of those in authority? Let us not attempt to number them. The task, I am persuaded, would bring no pleasure, and might betray some men's secrets. Rather let us rejoice that your conduct and administration bids defiance to the strictest scrutiny, and that your retiring from the office you have so long filled will not lose you one of your real friends. As for the rest, take leave of them all kindly. I insist upon your eating dinner with me in Baltimore, on your way home, and wish you so to arrange the time and company, that two or three of our Connecticut friends in Congress may accompany you. You must not deny me this favour. Your true and affectionate friend,

JAMES McHENRY.

TO MRS. WOLCOTT.

WASHINGTON, Dec. 4th, 1800.

Mrs. Adams is here. I have seen her but once. She appears to look older and more grave than formerly. There was no procession, notwithstanding the promise made in the newspapers. I was told that some dispute respecting the appointment of a master of ceremonies prevented a display of the citizens. Though some are mortified, yet I believe the accident has been favourable to their credit.

TO MRS. WOLCOTT.

WASHINGTON, Dec. 11, 1800.

Gov. Davie has arrived at Norfolk in the ship Portsmouth. I presume Mr. Ellsworth has tarried behind, and will not return before the next spring. We have not received the treaty nor heard directly from Governor Davie.

A committee has been appointed on my letter to the speaker, who appear to be candid and disposed to do me justice. Give my compliments to our neighbour, Captain Van D., and tell him that yesterday good news for democrats were received from South Carolina. Gen. Pinckney writes from Columbia, under date the 29th of November, to Gen. Marshall, that owing to double returns, equal

votes, sickness and absence of the federal members, the choice of electors was left in the hands of the democrats who were pledged to support Mr. Jefferson and Col. Burr. The democrats and most of the federalists consider this letter as complete evidence that Mr. Jefferson and Mr. Burr will be elected. I think otherwise, that the federalists will get well and be present at the election, which was to be holden on the 2d of December, three days after Gen. Pinckney's letter was written.

TO JAMES McHENRY.

WASHINGTON, Dec. 12, 1800.

I will attend to your requests as soon as possible; there will be no longer any difficulty. Gen. Pinckney informs me that the electors appointed in South Carolina will all vote both for Jefferson and Burr. Eight votes were given for each of them in North Carolina, and both are unquestionably elected.

So much for the consequences of diplomatic skill.

FROM FISHER AMES.

DEDHAM, Dec. 15, 1800.

My Dear Sir,

It grieves every thoughtful friend of the country that you should be placed in a situation which you think you ought to renounce. If the fault was generally known to lie where I suppose it does lie, it would greatly increase the displeasure that is already felt. Who will succeed you, or how our affairs are to proceed in future, when a man born in office with the government, so attached to it, and as familiarly acquainted with it as you are, receives from the head of the government such uncomfortable and discouraging treatment, though not personally affrontive, I know not. The very Jacobins abuse you with measured moderation, and allow me to say (it really is my opinion, and I would not insult you with flattery) that those whose good opinion you would value were progressively raising their esteem and respect for your character. The success of governments depends on the selection of the men who administer them. It seems as if the ruling system would rob the country of all chance, by excluding the only classes proper to make the selection from.

I wish to use the liberty of writing to you more fully than I now have time to do. If Mr. A. and P. should fill the two first places, the conduct and language of the federalists will demand much thought and prudence. To keep the party unbroken, while the head has interests and feelings separate from and hostile to it, and will be angry for the risks he has run of losing his election, will be a hard task and yet a necessary one.

The newspaper to be established in Boston will be a craving thing on my time and industry, and I shall desire from you and others at the seat of government, occasionally, any hints for filling up the part which I shall take in it; it will be

a small part, but by a right manner of managing that paper some good may be done. I am, dear sir, with great esteem, yours truly,

FISHER AMES.

FROM ALEXANDER HAMILTON.

NEW YORK, 16th Dec., 1800.

It is now, my dear sir, ascertained that Jefferson or Burr will be President, and it seems probable that they will come with equal votes to the House of Representatives. It is also circulated here, that in this event, the Federalists in Congress, or some of them, talk of preferring Burr. I trust New England at least, will not so far lose its head as to fall into the snare. There is no doubt but that, upon every virtuous and prudent calculation, Jefferson is to be preferred. He is by far not so dangerous a man, and he has pretensions to character.

As to Burr, there is nothing in his favour. His private character is not defended by his most partial friends. He is bankrupt beyond redemption, except by the plunder of his country. His public principles have no other spring or aim than his own aggrandizement, *per fas et nefas*. If he can, he will certainly disturb our institutions, to secure to himself *permanent power*, and with it *wealth*. He is truly the Cataline of America, and if I may credit Major Wilcocks, he has held very vindictive language respecting his opponents.

But early measures must be taken to fix on this point the opinions of the Federalists. Among them, from different motives, Burr will find partisans. If the thing be neglected, he may possibly go far.

Yet it may be well enough to throw out a line for him, in order to tempt him to start for the plate, and thus lay the foundation of dissention between the two chiefs.

You may communicate this letter to Marshall and Sedgwick. Let me hear speedily from you in reply. Yours affectionately,

A. HAMILTON.

FROM ALEXANDER HAMILTON.

December 17, 1800.

Your last letter, my dear sir, has given me great pain; not only because it informed me that the opinion in favour of Mr. Burr was increasing among the Federalists, but because it was also told me that Mr. ——— was one of its partisans. I have a letter from this gentleman, in which he expresses decidedly his preference of Mr. Jefferson. I hope you have been mistaken, and that it is not possible for him to have been guilty of so great duplicity.

There is no circumstance which has occurred in the course of our political affairs, that has given me so much pain as the idea that Mr. Burr might be elected to the Presidency by the means of the Federalists. I am of opinion that this party has hitherto solid claims of merit with the public, and so long as it does

nothing to forfeit its title to confidence, I shall continue to hope that our misfortunes are temporary, and that the party will ere long emerge from its depression. But if it shall act a foolish or unworthy part in any capital instance, I shall then despair.

Such, without doubt, will be the part it will act, if it shall seriously attempt to support Mr. Burr in opposition to Mr. Jefferson. If it fails, as after all, is not improbable, it will have rivetted the animosity of that person, will have destroyed or weakened the motives to moderation, which he must at present feel, and it will expose them to the disgrace of a defeat in an attempt to elevate to the first place in the government, one of the worst men in the community.

If it succeeds, it will have done nothing more nor less than place in that station a man who will possess the boldness and daring necessary to give success to the Jacobin system, instead of one who for want of that quality, will be less fitted to promote it.

Let it not be imagined that Mr. Burr can be won to the federal views. It is a vain hope. Stronger ties, and stronger inducements than they can offer will impel him in a different direction. His ambition will not be content with those objects which virtuous men of either party will allot to it, and his situation and his habits will oblige him to have recourse to corrupt expedients, from which he will be restrained by no moral scruples. To accomplish his ends, he must lean upon unprincipled men, and will continue to adhere to the myrmidons who have hitherto surrounded him. To these he will no doubt add able rogues of the federal party; but he will employ the rogues of all parties to overrule the good men of all parties, and to prosecute projects which wise men of every description will disapprove.

These things are to be inferred with moral certainty from the character of the man. Every step in his career proves that he has formed himself upon the model of Cataline, and he is too cold blooded, and too determined a conspirator ever to change his plan.

What would you think of these toasts, and this conversation at his table within the last three or four weeks? 1. The French Republic. 2. The Commissioners on both sides who negotiated the convention. 3. Bonaparte. 4. La Fayette. What would you think of his having seconded the positions that it was the interest of this country to bring in and sell their prizes, and build and equip ships in our ports? Do you not see in this the scheme of war with Great Britain, as the instrument of power and wealth? Can it be doubted that a man who has all his life speculated upon the popular prejudices, will consult them in the object of a war, when he thinks it expedient to make one? Can a man who, despising democracy, has chimed in with all its absurdities, be diverted from the plan of ambition which must have directed this course? They who suppose it must understand little of human nature.

If Jefferson is President, the whole responsibility of bad measures will rest with the anti-Federalists. If Burr is made so by the Federalists, the whole responsibility will rest with them. The other party will say to the people, we intended him only for Vice President; there he might have done very well, and been at least harmless. But the Federalists, to disappoint us and a majority of

you, took advantage of a momentary superiority to put him in the first place. He is therefore their President, and they must answer for all the evils of his bad conduct. And the people will believe them.

Will any reasonable calculation on the part of the Federalists, uphold the policy of assuming so great a responsibility in the support of so unpromising a character? The negative is so manifest, that had I not been assured of the contrary, I should have thought it impossible that assent to it would have been attended with a moment's hesitation.

Alas! when will men consult their reason rather than their passions? Whatever they may imagine, the desire of mortifying the adverse party must be the chief spring of their disposition to prefer Mr. Burr. This disposition reminds me of the conduct of the Dutch monied men, who, from hatred to the old aristocracy, favoured the admission of the French into Holland to overturn every thing.

Adieu to the Federal Troy, if they once introduce this Grecian Horse into their citadel.

Trust me, very dear friend, you cannot render a greater service to your country than to resist this project. Far better will it be to endeavour to obtain from Jefferson assurances on some cardinal points. 1. The preservation of the actual fiscal system. 2. Adherence to the neutral plan. 3. The preservation and gradual increase of the navy. 4. The continuance of our friends in the offices they fill, except in the great departments, in which he ought to be left free. Adieu, my dear sir, yours ever,

A. HAMILTON.

TO ALEXANDER HAMILTON.

WASHINGTON, Dec. 25th, 1800.

I have received your favours of the 16th and 17th. That of the 16th I communicated to Mr. Marshall and Mr. Sedgwick. The first has yet expressed no opinion; the last mentioned gentleman has been inclined to support Mr. Burr, and this I find appears to be a prevailing and increasing sentiment of the federalists. With what degree of seriousness the intention is formed, and whether it can succeed, are points upon which no opinion can be given. It will be well to bring the attention of our eastern friends to the subject, that their ideas may be seasonably communicated to the gentlemen in Congress.

An attempt will be made to enact the new Judiciary bill. It is probable that it will succeed; but what appointments shall we have?

You will be afflicted on reading the treaty with France. Mr. Ellsworth's health is, I fear, destroyed. He has resigned his office, and the President has sported a nomination of Mr. Jay, who will not accept the appointment. [a] It is probable that the treaty will undergo some modification by the Senate.

[a] Mr. Jay did not accept the appointment, and Gen. Marshall was in consequence appointed, January 31, 1801.

TO TIMOTHY PICKERING.

WASHINGTON, December 28, 1800.

I enclose you a letter which I lately received from our friend, Chief Justice Ellsworth, who I am concerned to hear is in a very reduced state of health. You will perceive by the papers that he has resigned his office, and that the President has nominated Mr. Jay. If it were not difficult in these strange times, to predict any thing, we might suppose it impossible that Mr. Jay should resume a station more arduous than that which he has declined on account of advancing age. The nomination is here considered as having been made in one of those "sportive" humours for which our chief is distinguished.

You will read the treaty which was signed with France with astonishment. I can account for it only on the supposition that the vigour of Mr. Ellsworth's mind has been enfeebled by sickness. The Senate are, I understand, much embarrassed, though they will probably advise a conditional ratification. It is now certain that the mission has proved as unfortunate as we considered it at the time it was instituted. The country must either be dishonoured by an unequal treaty, or must incur the risque of having its dispute with France unsettled, after a general peace in Europe. The probability of this event during the present winter is understood to be increasing.

I shall retire from office in a few days, according to a determination which I formed as soon as it appeared probable that Gen. Pinckney could not be elected President. I knew that Mr. Jefferson would naturally choose to appoint the Secretaries from his own party, and I believed it to be incompatible with honour and a suitable respect to my own character to serve under Mr. Adams. I have no object in view beyond living in Connecticut, on a small farm.

The votes for Messrs. Jefferson and Burr are equal, and many of the federalists talk of supporting Col. Burr as President. I have doubts whether the election of Mr. Burr can or ought to be accomplished. I have heard many ingenious arguments on this subject, which I have not time to repeat, but as I am happily not obliged, like members of Congress, to choose what I do not like, I shall content myself with submitting to the decisions of others.[a]

I have reason to suspect that the President will, like some other great men, write a vindication of his official conduct; if he should do so, I consider it probable that he will write something injurious to his Secretaries, which will require an answer. I have obtained liberty of Gen. Marshall to take the press copies and rough drafts of your official correspondence. These papers may be very useful in vindicating the administration, and when the purposes are answered for which I have taken them, I will deliver them to your order. Will you inform me by a letter, to be put under cover to Mr. Hodgden, how I can address you without risque, in case it should be necessary to resort to more minute information. Be pleased to make my respectful compliments acceptable to Mrs. Pickering, and rest assured of the unalterable attachment of your friend and obedient servant.

[a] The same idea is expressed in a letter to Frederick Wolcott.

TO HIS WIFE.

WASHINGTON, Dec. 31st, 1800.

The hidden wisdom of the President was yesterday manifested in the nomination of Samuel Dexter, Esq., to be Secretary of the Treasury. I regret the thing only as it may effect Mr. Steele's feelings. Whether Mr. Dexter is to hold the office for two months only, or whether he will be reconciled to or accepted by the new administration, and who is to be Secretary of War, are among the deep things known only to John Adams. As for news, I have none. Jefferson and Burr have equal votes, and the federalists are doubting which to prefer. There will be intriguing here through the winter upon a high scale.

I was never better pleased with any act of my life, than with my resignation at the time and in the manner I did. It appears to have been the only way I could have taken to avoid dishonour. I will try to be contented hereafter, and doubt not it will be in my power.

FROM TIMOTHY PICKERING.

PHILADELPHIA, Jan. 3, 1801.

Dear Sir,

I have received your letter of the 28th inst., in which nothing is mentioned respecting our chief, that could be unexpected, exeepting the idea of his writing "A vindication of his official conduct." In this regard, I am glad you have obtained the draughts and press copies of my letters in the department of State. I never had thought it necessary or proper to do this, although Mr. Jefferson and Mr. Randolph respectively had withdrawn theirs; but these are uncommon times, and justify the measure. Should there be any occasion to resort to me, probably the surest way will be send your letters addressed to me, to the care of Mr. Hodgden.

I am truly sorry for the sake of our country, that you cannot continue at the head of the treasury. But as to yourself and family, I am sure you will be more happy, and quite as rich on your little farm as if you continued a *public servant* during life. Should you be willing, however, to accept of any public employment in the gift of Connecticut, it will certainly be conferred. But in whatever way you shall be occupied, my best good wishes will attend you and yours. Next week I expect to proceed for Boston and Salem, and if I pass through Hartford, will do myself the pleasure to call on Mrs. Wolcott. But I have some thought of going through New London and Norwich, to see some persons who are leaders in the Delaware Company's claim to lands in Pennsylvania. It is in my view a wicked speculation on their party, but unless brought to a speedy conclusion, will be followed with a train of mischief. But for the accident of my going and taking possession of my own lands, it would the last autumn have been seized on by some of them. I wish to confer with some person in Connecticut as I pass, who is best acquainted with the ground of the Delaware Company's claim. This company, I have reason to believe, was not, like the Susquehannah Company, recognized by Connecticut. I must investigate this matter. Perhaps

Mr. Webster at New Haven, could do it as well as any man. If any other name occurs to you, have the goodness to mention it to me.

I consider it impossible that Mr. Jay should consent to take the office of Chief Justice, and it is deeply to be regretted that the P. will so sport in serious things.

The treaty with France as you suppose has excited my utter astonishment. Davie and Murray always appeared to me fond of the mission, and I supposed that they had made the treaty, but when informed that our friend, our highly respected and respectable friend Mr. E—— was most urgent for its adoption, my regret equalled my astonishment. The fact can be solved only on the ground which you have suggested. I suppose he has written to you—to me he writes thus, in the letter you enclosed.

" My best efforts and those of my colleagues have not obtained all that justice required, or which the policy of France should have given. Enough is however done if ratified, to extricate the United States from a contest which it might be as difficult to relinquish with honour, as to pursue with a prospect of advantage. A partial saving is also made for captured property, guards are provided against future abuses as well perhaps as they can be by stipulations, and our country is disentangled from its former connexions. As the reign of Jacobinism in France is over, and appearances are strong in favour of a general peace, I hope you will think it was better to do this, than to have done nothing."

I do not think so. Nothing should as it appears to me, have induced the commissioners to have admitted as they do, in the second article, that the old treaties with France were not annulled, and that the revival of those treaties, and indemnity for spoliations should be dependent on each other. This I know is not *stipulated*. But the idea should not have been countenanced, and what can justify the direct violation in the 6th article of our treaty with Great Britain? And why admit that naval hostilities against France, as a state, were unwarrantable, by engaging to deliver up the captured state ships. As to commerce we are silently excluded from the trade with any of her colonies.

These are reflections which have occurred to me on reading the treaty, and I conclude they are not unfounded, seeing the Senate is embarrassed, and if they ratify, will only do it conditionally. And of what avail such a ratification! If a general peace takes place this winter among the European powers, from our " contest," we shall not be " extricated," and thus the great object which Mr. Ellsworth had in view, will be lost. The stipulation that the word of a convoy shall exempt fleets of merchant ships from search, is also extremely exceptionable, especially at this time. It had been better to have said at once, and in simple language, " Trade with the enemy of the other, shall in no manner be obstructed."

If you write while I am in the *war country*, please direct to the care of Mr. Hodgden, who will forward letters after me to Boston. With perfect sincerity, I am your friend and servant.

TIMOTHY PICKERING.

On Mr. Dexter's acceptance of the Treasury Department, that of War was offered to Roger Griswold of Con-

necticut. General Marshall had been appointed Chief Justice, on the 31st January, but continued to discharge the duties of the department of State as acting Secretary, till the conclusion of Mr. Adams' term of office.

The convention which was brought to the United States by Gen. Davie,[a] was submitted to the Senate on the fifteenth of December, and subsequently the instructions also were sent at its request. It was not until the third of February, that their consent was given, and then only upon condition that the second article reserving the former treaties for future negotiation should be expunged, and that its duration should be limited to eight years. With these amendments it was provisionally ratified by the President on the 18th, and he shortly afterwards nominated Mr. Bayard of Delaware, Minister Plenipotentiary, to proceed to Paris and exchange the ratifications. Mr. Bayard, however, declined, and on the 2d of March, the President in a letter to the Senate, stated that it would have been more conformable to his judgment to have ratified it unconditionally; that still he judged it more consistent with the honor and interest of the United States to ratify it thus than not at all, and he had therefore made the nomination of Mr. Bayard. As however that gentleman had declined for reasons applicable to every other person suitable for the service, he should take no further measures, but leave the papers in the office of the Secretary of State, that his successor might proceed with them "according to his wisdom." On Mr. Jefferson's coming into office the convention was accordingly sent forward and the ratification in its thus modified shape was agreed to by Bonaparte in July following, but with the further provision "that by this retrenchment the two states renounce their respective pretensions which were the object of the 2d article." The ratifications were thereupon exchanged

[a] Mr. Ellsworth resigned the Chief Justiceship at the conclusion of the mission, and remained abroad on account of his health.

between Mr. Murray and the French commissioners; the convention again submitted to the Senate at the succeeding Congress, and finally promulgated on the 21st of December, 1801.

This convention had in its original shape produced little satisfaction in either party. In Mr. Jefferson's words, "it had some disagreeable features and would endanger the compromiting us with Great Britain," a consummation which however desirable, at an earlier period, was not wished for at the outset of his administration. To the federalists it gave very general displeasure, because it obtained nothing that had been contended for, nothing which negotiations had been directed to secure, or measures of hostility to enforce. It was simply the conclusion of a peace, at best, of doubtful endurance, so far as one party was concerned, and an agreement for quiet trade which was as liable to violation as previous ones had been. The proviso annexed by Bonaparte and agreed to by Mr. Jefferson and the Senate, was a formal extinction even of the right to demand satisfaction for the injuries inflicted upon us. It was a purchase of freedom from future molestation, by the sacrifice of all that had been unjustly taken away. It added the last drop to the cup of national humiliation.

The only person who seems to have regarded this pacification with complacency, was Mr. Adams. To his excited imagination, if his language to Cunningham is to be believed, it was a master-piece of diplomacy, and the dissatisfaction of the federalists thus awakens his anger and his vanity.

"You speak of the fortunate issue of my negotiations with France to my Fame!!! I cannot express my astonishment. No thanks for that action, the most disinterested, the most determined and the most successful of my whole life. No acknowledgment of it ever appeared among the Republicans, and the federalists have pursued me with the most unrelenting hatred, and my children too, from that time to this; covered, however, with the thickest veil of hypocrisy

because there was some danger in being too open. My Fame!!! It has been the systematical policy of both parties, from that period especially, and indeed for twelve years before, to conceal from the people all the services of my life. And they have succeeded to a degree that I should hardly have believed it possible for a union of both parties to effect."[a]

Whether this negotiation entitled him to high acknowledgment, or produced to the country the results on which in another place he plumed himself, "eight years of its most splendid prosperity," those who saw in Mr. Jefferson's administration the paradise of democratic dreams, and those who in the interim suffered from continued spoliations, or blushed at the unprovoked and the unrevenged insults of Napoleon towards America, will differ. But whatever were the merits of the treaty in itself, whatever other ends it accomplished, it effected one object of its real promoters. The peace of 1800, removed all dangers from the career of the succeeding administration. It smoothed the the road for its easy management of affairs, it did away with the immediate necessity of an army and a navy, and left it free to pursue its petty schemes of present economy, regardless of future consequences; to make vast pretensions to merit upon very slight foundations, and to reap unheard of prosperity where its utmost deserts should have been escape from censure.

Viewing the release of the claims, however, in the light in which some have seen fit to place them, as an exchange for the abandonment on the part of France, of the stipulations in her favor by former treaties; treaties which she had violated, and which, therefore, had been annulled; an important advantage, it must be admitted, was gained by the United States, in her discharge from the guarantee of the French possessions in America. It was according to this doctrine, a barter for a great public consideration, of the just demands of individual citizens upon France, to the amount of fifteen millions of dollars;

[a] Letter XXXIV.

demands which the United States had always insisted upon, and which had been even recognized by France herself.

It would have been supposed that justice, good faith, the plain words of the Constitution itself, would have required compensation for the private property thus, by the sovereign act of the government appropriated to public uses; that the government of the United States had thus assumed the payment, and that a nation pretending to honesty, would have provided compensation for its citizens. Not a dollar of them, however, has yet been paid.

TO MRS. WOLCOTT.

WASHINGTON, Jan. 8, 1801.

My business is going forward, but not so rapidly as I could wish; not from any indisposition on the part of my friends, but from their engagements in Congress, and to company. I find it difficult to engage their attention. I must be patient till I get out of this scrape. I shall never be in another of the same kind.

I can form no opinion who is likely to be our President. The federalists seem inclined to support Mr. Burr, but whether they can all agree in this measure, is doubtful. My anxiety to leave this place, is hourly increasing; but it is uncertain whether I shall be able to get away before the end of the month.

TO SAMUEL DEXTER.

WASHINGTON, Jan'y. 13th, 1801.

Sir,

Mr. Eli Whitney, contractor for fabricating arms at New Haven, has communicated to me his application for a further advance of money, and for an extension of time to complete his engagements, with a request that I would state to you my sentiments respecting his propositions.

From my own observation, the testimony of Mr. Hillhouse, Mr. Elizur Goodrich, and Major Wadsworth, whom I consider as most competent judges, as well as the specimens of work which Mr. Whitney has produced, I am satisfied that the factory at New Haven is established on the best principles, and is capable of producing arms equal to any which have been fabricated in the first manufactories of Europe. That the whole of the money advanced, has been judiciously, and economically applied towards the execution of the contract, is certain; and such progress has been made in constructing every part of the machinery, that no uncertainty (except that of Mr. Whitney's life) rests upon any part of the undertaking.

Being satisfied that Mr. Whitney's talents are of the first order; that his establishment is an object worthy of national encouragement, and that no loss is to be apprehended from complying with his propositions for obtaining a further advance of money, an extension of time for completing his contract, and for adjusting the terms of future re-imbursement, I cannot but recommend him to your attention, and express a wish, that a compliance with his wishes may appear to you reasonable, and consistent with the public interest. I have the honour to be, very respectfully, sir, yours obediently.

TO MRS. WOLCOTT.

WASHINGTON, Jan. 22d, 1801.

I am yet here, and may be detained a few days longer than I intended, in consequence of a fire in the Auditor's office, which has thrown the Treasury into considerable disorder, although the loss of papers is presumed to be not very considerable. This circumstance, however, afflicting and mortifying to me, as it will disarrange a Department which was left by me in good order, furnishes additional cause for congratulation, that I have escaped from the snares and perils of public life.

Mr. Lucius Horatio Stockton, a crazy, fanatical young man, of Trenton, whom you very possibly remember, is nominated Secretary of War, and General Marshal, Chief Justice. The former will not, I presume, be agreed to by the Senate.

FROM JAMES McHENRY.

BALTIMORE, 22 Jan'y., 1801.

My Dear Sir,

I think your last letter to me, is dated the 29th ultimo, and you are still at Washington.

I have presumed that one of two causes, or perhaps both of them combined, may detain you. 1st. The tardiness of the committee which was appointed to report, respecting transactions in the Treasury Department. 2d. That your co-operation, or rather assistance for a time, was indispensable to your successor. I am anxious to hear from you the true cause. Although I have made up my mind, upon the propriety of remaining as much as it is possible, a quiet, and indifferent spectator to passing events, and have determined never to appear in a public character, either under the authority of a State, or the United States. I reserve, notwithstanding, to myself the entire privilege of feeling a proper concern for those of my friends who may be engaged in public scenes as actors or sufferers, and of making, and communicating to my friends, my own comments upon public occurrences. Thus far, it appears to me, I may indulge in public affairs, without disturbing the tenour of my life, or that tranquillity of mind which I aim at, and which I consider an essential ingredient in human happiness.

I know not what you think of the late nomination of Mr. Jay, to be Chief Justice, so immediately after he had publicly declared it to be his intention to

spend the remainder of his life as a private citizen. The nomination excited the idea, that Mr. Adams considered such declarations were always made without sincerity, and meant to be disregarded. It pleased me, of course, to see Mr. Jay act a consistent, and I think, a sincere part, in refusing an appointment thus unseasonably, if not under the existing circumstances, indecorously offered.

Mr. Adams, it strikes me, has committed another blunder, but it is true, one not altogether so rare; I mean in rewarding *dear* friends, and neglecting old ones. Here it was expected by every body, that he would have named Mr. Patterson to the vacant seat on the bench, except by Mr. ——, who thought he should have been appointed, and by me, who thought the President should have appointed himself.

I am told that some of our statesmen have conceived a project to convert a Jacobin of the first water, into a sound federalist; and to convince this Jacobin, who is known to be well skilled in the powers of numbers, that his weight alone, will make the lighter scale the heavier, and like a charm recover for them the public opinion which has been lost by the half measures of Congress, and false measures of a President.

I certainly do not breakfast upon such chimeras. I cannot persuade myself that public opinion is to be regained by such means, much less, that it is to be forced. A different course must be pursued to recover what has been alienated, and to gain upon the quiet good sense of the well-disposed part of the community. For this purpose, time is required—a new series of events; and to these, the slow process of wisdom, patience, and prudence operating upon the errours and mistakes of those who may govern. If a shorter shall be attempted by our statesmen, I wish them a good journey, but I do not expect they will arrive at the goal.

Let me hear from you, and the news that may be afloat. Yours, aff'ly.,

JAMES McHENRY.

On the 28th of January, Mr. Otis, from the committee on the condition of the treasury, submitted to the House their report. As this document contains a full, particular, and conclusive exhibition of the management of that Department, it will be presented nearly entire.

In regard to the general state of the Department, and the mode of directing the business thereof, they observed:

"On the 22d of May, in the year 1794, a report was made to the House of Representatives, by a committee appointed to examine the state of the treasury; in which the manner of conducting the business of the Department was detailed with great accuracy, the duties of the various officers, and their mutual checks upon each other, explained; and the rules and proceedings observed in the collection, keeping, and disbursement of the public monies, and in accounting for the same, described with minute precision. It does not appear that any objection has ever been made to the forms of doing business specified in that report.

or that the committee, after a most ample and elaborate investigation of the regulations adopted in the Department, entertained doubts of the judicious and competent nature of the arrangement and distribution of the powers and duties of the officers. The attention of the present committee, was in the first instance occupied in comparing the present forms of proceeding at the Treasury, with those heretofore exhibited; and upon a careful examination, they are satisfied that, while the principles of that system have been maintained and matured, a close adherence to established usage has been observed; and that the Department itself is so organized by law, and the mode of doing business is so devised, as to afford the most perfect security to the nation from the misapplication of the public monies.

These monies do not, in any instance, pass through the hands of the Secretary of the Treasury; he merely authorizes the receipts and disbursements, by warrants in favour of, and upon the Treasurer; these warrants are all signed by the Secretary, countersigned by the Comptroller, and registered by the Register. The Treasurer is the medium of the receipts and disbursements of the public moneys. Those who collect these moneys can only discharge themselves by warrants in favour of the Treasurer. The Treasurer can only obtain credit for payments from the Treasury by warrants on himself. All moneys received by the Treasurer are deposited by him in the Bank of the United States, and other banks; and the actual amount of moneys in the custody of the Treasurer, may be at any time ascertained, independently of his own returns, by the statements which are constantly made and transmitted to the Secretary, by those who collect and receive public moneys into their custody, in the different parts of the Union. His accounts must be rendered quarterly, and oftener if required, to the Comptroller, and annually to Congress."

In relation to receipts and expenditures, it was said:

"It is the uniform course of business at the Treasury, immediately after the close of each session of Congress, to enter into a book, kept for that purpose in the office of the Secretary, the various objects for which appropriations of money have been made by law, and to credit each head with the whole amount of the sums appropriated to it. The same proceeding is observed in the offices of the Comptroller and Register. No disbursements are made by the Treasury, but in pursuance of laws authorizing the expense; and all warrants for the disbursement of moneys are forthwith entered to the debit of their respective heads of appropriation. These books are open to the daily inspection and revision of the officers of the Department; and by means thereof the expenditures may be promptly compared with the appropriation. In no instance does it appear to the committee, that the expenditures have exceeded the legal appropriations. They have not, however, presumed it to be within the meaning of their instructions, that they should exhibit a detailed statement of the receipts and expenditures at the Treasury; for these they refer to the annual and other periodical statements which are enjoined by law, and which have been regularly submitted to Congress; and especially a report of the committee of the House of Repre-

sentatives, of the 8th of May last, in which the sum total of the receipts and expenditures of the present government, from its commencement to the end of the year 1799, is exhibited at one view.

By the constitution of the Treasury Department, the Secretary superintends the collection of the revenue, and grants all warrants for moneys issued from the Treasury, in pursuance of appropriations made by law; but he is not responsible for the application of moneys issued from the Treasury for the use of other Departments. When, for example, appropriations are made for the Departments of State, of War, or of the Navy, the Secretary of the Treasury, as also the Comptroller, are bound to prevent the advances from exceeding the appropriations. The disbursements and application of the moneys so advanced to the various objects of public service, are necessarily made under the immediate superintendence of the other Departments, subject to a revision and final settlement by the Comptroller of the Treasury. But as from the nature of the public business, it becomes indispensably necessary, in most cases, that advances should precede the services for which the moneys are destined; as these services are of great magnitude, branched out into a variety of details, and performed by numerous agents, it results that, while voluminous accounts are in a train of settlement, sums to a great amount must at all times appear debited to individuals, to be accounted for in course, although they are known to have applied the same according to law, and although in many instances they may have exhibited sufficient vouchers for their discharge.

The foregoing inquiries embrace the principal duties of the Secretary of the Treasury; in the discharge of which the Department is regulated by positive laws and established forms. In certain cases a limited discretion is either given or implied in the nature of transactions performed under his agency. This has happened chiefly in three instances: first, in contracts for the loan of money for the public service; secondly, in providing and remitting to Europe funds for the discharge of the foreign debt; thirdly, in measures adopted to enforce punctuality on the part of public agents and officers, in the payments of moneys into the Treasury."

The statements of the committee on these subjects are considered particularly important, because they furnish full official explanations and defence of specific acts, some of which had been matters of censure on the part of opposition. And

"*First, in regard to loans of money.*

On the first of February, 1795, being the day when the late Secretary of the Treasury was commissioned, the temporary loans to the United States by the Bank of the United States, and by the Bank of New York, exclusive of five hundred thousand dollars in stock, purchased on credit, as hereinafter mentioned amounted to four millions, nine hundred thousand dollars; at the same time the United States were, however, possessed of five thousand shares of the capital

stock of the Bank of the United States, purchased with part of the proceeds of the said loans.

The following loans had been negotiated by the late Secretary:

1st. Under the act entitled "an act for the reimbursement of a loan, authorized by the last session of Congress," passed February 21st, 1795,	$800,000
2d. Under the act entitled, "an act making further appropriations for the military and naval establishments," &c., passed March 3d, 1795,	500,000
3d. Under the same act,	500,000
4th. Under the act entitled, "an act making further provision for the support of public credit," &c.,	500,000
5th. Under the act entitled, "an act making provision for the payment of certain debts of the United States," passed May 31st, 1796,	320,000
6th. Under the act entitled, "an act making further provision for the support of public credit," &c.,	200,000
Amounting together to	$2,820,000[a]

Of these loans the committee observed:

"The first loan of $800,000 was negotiated for the purpose of effecting a treaty of peace with Algiers. On the 4th of February, 1795, the subject was submitted to the consideration of Congress, in a message from the President. This message was referred to a committee of the House of Representatives, consisting of Mr. Sedgwick, Mr. Madison, Mr. Baldwin, Mr. William Smith, and Mr. Giles. The Secretary of the Treasury was desired by the committee to ascertain in what manner the proposed loan could be obtained; and it is stated by him that the specific terms on which the contract was afterwards concluded, were presented to the committee; who after being informed of the causes which rendered any other mode of remitting so considerable a sum to Europe at that time, either impracticable or highly inexpedient, approved of the proposal of receiving the amount of the desired loan in six per cent. stock, and of remitting the same to London to be sold on account of the United States. Being fully apprised of the manner in which the law would be executed, the committee reported certain resolutions on the 9th, which were adopted in a bill by the House of Representatives on the 11th and 12th of February, without opposition. The house of Messrs. Baring & Co. of London, were, on the suggestion of the Secretary of the Treasury, designated by the then Secretary of State, to negotiate sales of the stock, and hold the proceeds subject to the disposal of the Minister of the United States at Lisbon. The Secretary of the Treasury is considered in no manner responsible for the subsequent disposition of the fund; though by this remark

[a] The statement of the loans is somewhat condensed, the omissions being merely formal.

the committee do not intend to suggest that the management has been improper —which they have no reason to suspect.

The necessity of negotiating the second and fourth loans of five hundred thousand dollars each, was evinced by an examination of the state of the Treasury on the 1st of April, 1795, and the 1st of January, 1796. The third loan of five hundred thousand dollars, negotiated on the 1st of October, 1795, appears to have been in like manner justifiable, with this additional circumstance in favour of the transaction, that an equal sum was applied on the same day to the payment of the six per cent. stock purchased by the first Secretary of the Treasury, and remitted to Amsterdam under circumstances hereinafter detailed.

Of the fifth loan of three hundred and twenty thousand dollars, obtained of the Bank of New York, the sum of one hundred and twenty thousand dollars was immediately applied to satisfy part of a loan obtained of the Bank of the United States in the year 1792; the remaining two hundred thousand dollars operated merely as a prolongation of a loan made by the Bank of New York in the year 1794. The same observation is applicable to the sixth loan of two hundred thousand dollars, obtained of the Bank of the United States.

The different capitals of the temporary loans made of the Bank of the United States were, at the close of the year 1800, reduced to $3,440,000; at which time the United States remained possessed of two thousand two hundred and twenty shares of the capital stock of the said Bank. The total amount of Dutch debt extinguished since the 1st day of January, [1795] is $4,920,000; and no new foreign debt has been contracted by the Secretary of the Treasury.

In consequence of the failure of the attempt to negotiate sales of six per cent. stock, on terms advantageous to the public, the Secretary of the Treasury was authorized by the commissioners of the sinking fund, with the consent of the President, which was duly obtained, to negotiate sales of a part of the shares of the Bank of the United States, belonging to the United States. In pursuance of which authorities, two thousand seven hundred and eighty shares were sold for $1,384,260; which sum was applied towards satisfying the demands of the banks, and the proceedings duly reported to Congress according to law.

The foregoing representation contains a detail of all the loans which were negotiated by the late Secretary of the Treasury, prior to the year 1799, the causes of which, so far as they produced an increase of debt, existed in the unexpected and pressing expenses of the year 1794, of which the insurrection in Pennsylvania may be considered as the principal; and in the necessity which existed, early in the year 1795, of providing a fund for defraying the expenses of effecting a treaty of peace with Algiers; for neither of which objects adequate revenues had been or could be provided.

The only loans negotiated by the present [late] Secretary of the Treasury, which have not been before enumerated are, a sum of $5,000,000, obtained in 1799, in pursuance of an act passed on the 16th day of July, 1798, entitled, "an act to enable the President of the United States to borrow money for the public service," for an equal amount of stock, bearing interest at eight per centum per annum, until the last day of December, 1808, and thereafter at like interest during the pleasure of Congress, until the said stock shall be redeemed; also a fur-

ther sum of $1,565,229 24, obtained in pursuance of an act of Congress passed on the 7th of May, in the year 1800, by the sale of $1,481,700 dollars of stock bearing a like interest, and subject to the same terms of reimbursement. The necessity of these loans is well known to have been occasioned by the military and naval preparations lately directed. The principles upon which these loans were negotiated, have been considered by the committee, and must be familiar to the House. The situation of the country was new and embarrassing; the prospects of a war were threatening; a reliance on public credit was necessary; the aids which could be afforded by the banks were limited, and could only be considered as resources which might be rendered auxiliary to more extensive and permanent negotiations. No loan had been previously negotiated by the government of individuals in the United States. A reliance upon loans in foreign countries appeared to be improvident and dangerous, from its tendency to diminish the confidence of the country in its internal resources. The market rate of interest in the United States, was known to be at least eight per cent. per annum, and it was certain, moreover, that the demand for money which would be occasioned by a considerable loan, would tend to increase the then common rate of interest.

The first loan of $5,000,000 was obtained by subscription, and without attempting to dispose of the stock above par. Under the second contract, the loan may be extended to three millions and a half of dollars, if the government should have occasion to raise that sum. No more than $1,565,229 24 have yet been borrowed; for which the sum of $1,481,700 in stock has been issued. No sales have been made for less than five per cent. advance in money, upon the nominal amount of the stock, being the mean value in the market at the time the contract was published. In every instance the most favourable terms for the public were preferred. The highest price offered was eight per cent. advance in money, at which rate only a small amount in stock was issued; and the committee see no reason to doubt that these loans were negotiated upon the best terms that could be procured, and with a laudable view to the public interest.

Secondly, in regard to remittances.

"Remittances to the bankers of the United States in Amsterdam, for the purpose of providing for the payment of the principal and interest of the foreign debt have been effected in the three following modes:

1st. By purchasing six per cent. funded stock, and authorizing the bankers to sell the same in Europe on account of the United States.

2d. By bills of exchange on Amsterdam, Rotterdam, Hamburgh, and London.

3d. By contracts with merchants in the United States, for cargoes consisting principally of West India produce, the proceeds of which were directed to be placed to the credit of the United States in Amsterdam."

In regard to these, it is not considered necessary to repeat the language of the committee, as the only instances in which loss was sustained have been mentioned heretofore.

" Thirdly, in regard to provisions made for enforcing punctuality on the part of public agents and receivers.

It is the immediate duty of the Comptroller to superintend the adjustment of the public accounts and to direct prosecutions for all delinquencies of officers of the revenue and for debts due to the United States, though the Secretary, in virtue of his authority as superintendent of the collection of the revenue, would be also responsible for the permission of any negligence or abuse of trust in the officers of the revenue and receivers of public money after the same should come to his knowledge. In the collection of an immense revenue, through an extensive country, losses by the fraud, negligence, and insolvency of individuals are unavoidable.

When the Secretary of the Treasury has obtained and presented to the President the best information in respect to characters recommended by him for appointments to office; when he has established those official forms and checks, which are best calculated to obtain a true state of the accounts of the public agents and of the money in their hands; when, on just grounds for suspicion of improper management, the Secretary has preferred to the President of the United States his complaints against those who are disqualified for office, and the Comptroller has directed prosecutions for delinquencies, it is conceived that these officers have respectively discharged their duty in this particular. Instances, therefore, might naturally be expected of public defaulters to a very considerable account, while no blame could attach to these officers of the treasury; but, on the contrary, if the number of persons of this description and the amount due from them, are found to be comparatively inconsiderable, the inference is fair and plain that due caution has been observed in the appointments, and diligence in the superintendence of the subordinate officers.

Upon this subject the committee have been solicitous to acquire such information as might be satisfactory to the House, and having examined the particular cases of delinquency which appear on the books of the treasury, and the proceedings adopted by the Secretary and Comptroller respectively, are convinced that the utmost loss arising from the delinquency of those concerned in the collection of the revenue from duties on imports and tonnage for six years, will not exceed one hundred thousand dollars; being somewhat less than one-seventh of one per cent. on the whole amount collected and secured.

The loss sustained in the management of the internal revenue, will exceed this ratio; for reasons, of which some are incident to the nature of the duties and mode of collection, and others, which happened at an early period, attributable to the novelty of the system. This loss by officers commissioned by the President is estimated at fifteen thousand dollars.

The committee have also examined with attention the statement of moneys advanced to individuals on account of current services. This amount is always apparently considerable, and the details are too voluminous to be annexed to this report. No inference can be drawn from them of the balances actually due from the public agents, as the sums advanced always appear to their debit, while the accounts of their expenditures and their vouchers which may absorb the whole amount, are either not rendered or are in a train of settlement in the public offices.

It does not appear to the committee that there is any foundation to conjecture that those persons who have been principally entrusted with considerable sums of money will be found in arrear. The accounts of the late Secretary of State, Secretary of War, and Purveyor of Public Supplies, have been duly exhibited, and are in their course of settlement in the offices. These accounts have been so far examined as to satisfy the accounting officers of the treasury that no balance will be found due from them. On the whole, after such examination as they have been enabled to make, the committee beg leave to express their opinion that the business of the Treasury Department has been conducted with regularity, fidelity, and a regard to economy; that the disbursements of money have been always made pursuant to law; that every attention, consistent with the nature of the business, has been bestowed in removing delinquents from office, in compelling them to account, in securing moneys due from them, and in preventing an improper and unreasonable accumulation in the hands of public agents; that the loans effected on account of government, have been procured upon the most advantageous terms for the public; that the most eligible modes of remittance to Europe have been devised; AND GENERALLY, THAT THE FINANCIAL CONCERNS OF THE COUNTRY HAVE BEEN LEFT BY THE LATE SECRETARY IN A STATE OF GOOD ORDER AND PROSPERITY."

This report, coming as it did UNANIMOUSLY from the committee, was an honorable and gratifying testimony of the merits of the Secretary's administration and services, and one that could not well be shaken by the efforts of those who, in a succeeding session, endeavored for political effect to call in question the legality of the course of business pursued by himself and his colleagues.

Wolcott had now, and as he supposed, forever, taken leave of public life. The necessities of his family required that he should at once enter upon some active employment for their maintenance, his whole property consisting at this time of a small farm in Connecticut, and a few hundred dollars in cash. He had the satisfaction of going out of office poorer than when at the first establishment of the government he entered upon the auditorship. Men had not in those days acquired the art of becoming rich in government service, for those who were most bitterly charged with peculation appear least to have benefited by it. Knox had retired from poverty, Hamilton had been driven to a profession for support, McHenry had in-

jured the property he before possessed, Pickering had plunged once more into the backwoods, and Wolcott now also prepared, at the age of forty-one, to enter upon a new path in life for a subsistence.

His retirement from office drew from the federalists at the seat of government many expressions of personal regard, among which was a public dinner from the members of Congress.

FROM JAMES ROSS.

CITY OF WASHINGTON, 24 Jan., 1801.

Dear Sir,

Your determination to retire from the station which you have so long and so ably held, could not but sensibly affect those who had been witnesses of your unremitted exertions to advance the public good.

Fully persuaded that those exertions have not been less useful to your country than honourable to yourself, your numerous friends in the Senate and House of Representatives of the United States cannot, without violating their feelings, permit you to depart from the seat of government unaccompanied with the strongest assurances of their conviction of the worth and purity of your public life.

As a parting testimonial of their high respect for your person and character, they have ordered a public dinner to be prepared for you at Still's hotel on Wednesday next, and on their behalf I am directed to request that you would accept and partake of this entertainment where we can all have an opportunity of bidding you a friendly and affectionate farewell.

With most sincere respect I have the honour to remain, dear sir, your most obedient servant,

JAMES ROSS.

TO JAMES ROSS.

CITY OF WASHINGTON, Jan. 26, 1801.

I have been honoured with your favour of the 24th instant, and beg leave to express to you sir, and the other gentlemen of the Senate and House of Representatives therein referred to, my most respectful and grateful acknowledgments for the distinguished manner in which they have been pleased to manifest their approbation of my public services.

I shall meet the gentlemen at the time and place proposed in their invitation with pleasure, unalloyed by any other reflection, than that a few days must separate me from the society of the guardians of the public welfare, whose talents, services and virtues, have been the constant object of my esteem and veneration.

I request you, sir, personally, to accept assurances of the inviolable attachment and respect with which I remain, dear sir, your obedient servant.

FROM THOMAS LAW.

Dear Sir,

I return the pamphlet with many thanks for the perusal of it. With heartfelt regret, I join with all the citizens of Washington in bidding you farewell. Mrs. Law unites with me in wishing you health and as much happiness as this life can afford. In most countries, those who leave the public treasury in a good state, have their own finances made flourishing also, but with you the "*mens conscia recti*," is the sole reward. I remain, with unfeigned esteem, respect, and regard,

THOS. LAW.

TO MRS. WOLCOTT.

WASHINGTON, January 31, 1801.

* * * *

The Report of the Committee on my letter was unanimously agreed to and is entirely satisfactory. I have been treated with attention by the citizens and members of Congress. God be praised that my sincere exertions for the public good have not, as has sometimes happened to others, been ungratefully requited.

The stereotyped charges of defalcations and frauds in the public affairs with which that infamous organ of the Jefferson party, the Aurora, and the other Jacobin presses teemed, received a momentary stimulus from two occurrences of this winter. Fires successively took place in the buildings occupied by the War and Treasury Departments; in the former on the 8th day of November, in the latter on the 20th of January. Furious attacks were at once made upon the federal officers, of which Wolcott received his full proportion. He had been present at the fire in the War Department, and had recommended that the room to which it was at first confined, should not be opened until the arrival of assistance; advice, the neglect of which ensured the destruction of the building. He had also been present at that in the Treasury, and Mr. Dexter, the Secretary, being then in charge, and the fire being under control, had removed some trunks of his own book and papers to his lodgings. On these facts affidavits were manufactured charging him with preventing the

extinguishment of the fires, and with seizing the opportunity of the latter to abstract the public records. The fires as a matter of course were attributed to design, and party malignity vented itself in accusations of the most atrocious kind. The fact that the persons under whose charge the departments had so long been, had resigned, and that the party itself was on the eve of going out of power, that predictions of such occurrences had been among the thousand calumnies of hack editors, gave a temporary, but only a temporary color to these falsehoods.

Mr. Dexter as acting Secretary of War, and Secretary of the Treasury, was called upon by the House of Representatives to communicate such information as was in his power relative to the destruction of official books and papers in the respective offices, and the probable effect of their loss on the adjustment of unsettled accounts. As to the former he replied, that the rapidity with which the flames extended on the admission of air into the room where it originated, had precluded the possibility of saving the books or papers in the apartments of the Secretary, but that those in the Accountant's office were preserved. It was not presumed that any consequences to effect the adjustment of unsettled accounts would follow from the loss of the papers in the Secretary's office, the original expenditures being, it is supposed, obtainable on the exhibition of the accounts growing from them; and it was not probable that any material injury would result from the losses sustained in the Accountant's office, which were but few. With regard to the fire in the Treasury, he reported that the papers in his own office, in those of the Comptroller, the Register, Treasurer, Commissioner of the Revenue, and Superintendent of Stamps, had been all, with a few immaterial exceptions, preserved. In the Auditor's office, some papers had been lost or injured, but

not to any serious extent, nor generally in cases where much inconvenience would result to the public.[a]

A committee of the House was appointed on the 10th of February, to examine into the causes of these occurrences. This committee consisted of Messrs. Nicholas, Macon, Livingston, Gallatin, Varnum, Harper, and Waln, the majority being among the most distinguished members of the opposition. Their report, from which the following is an extract, was made on the 28th of February.

"The committee having seen an assertion in a paper called the Cabinet, that, during the fire in the Treasury Department, persons were discovered in one of the rooms of that Department in circumstances which excited suspicion, the committee called on the Editor of that paper, and requested to be informed whether he could mention the names of any persons who were witnesses of that fact, or any other relating to the fires. By him they were referred to Lamson Pearson and Salem Roe, from whose depositions, and the deposition of John Woodsides, it appears that the persons thus discovered were Clerks of the Department employed in taking care of the books and papers.

It having been mentioned in the depositions of some of the witnesses, from whom the committee were taught to expect material information, that Mr. Oliver Wolcott, late Secretary of the Treasury, was seen at one end of the Treasury Department during the fire therein, loading a cart with boxes and papers, the committee considering it as a circumstance which might be made to excite suspicion, and believing it was due to Mr. Wolcott to investigate thoroughly a fact of this nature, which had been partially disclosed by their means, have taken several depositions on that subject which are herewith reported. From these depositions no suspicion can remain that the boxes were not Mr. Wolcott's private property.

The committee do not think it necessary to make a minute report of their opinion on the facts of the several cases, as the depositions themselves will afford more satisfactory information; they report on the general result of their enquiries, that it is probable the fire in the War Department was communicated from the fire place in the adjoining house; and that there is no evidence whatever, on which to found a suspicion of its originating in negligence or design; that as to the origin of the fire in the Treasury Department, they have obtained no evidence which enables them to form a conjecture satisfactory; it would only be in their power to make an abstract of the testimony; and in doing this they might add to or diminish its force, and therefore choose to report it only in the words of the witnesses themselves."

With regard to the fire in the War Department, the

[a] Reports of February 17th and 24th.

testimony of the building itself was conclusive as to its origin, and with due respect to the opinion of the committee, the same might have been said of that in the Treasury; built of a single thickness of brick, and in the upper part of only the width of a brick in the partition walls, with wooden blocks in the fire places, gaping seams between the courses, and exhibiting marks of scorching on the wood work in the fire places of rooms where the conflagration had not reached, the offices temporarily hired for the several departments, seemed to have been constructed for the pillage of insurance companies. The testimony of the clerks showed too, that the fire originated in some book cases in a room directly behind the fire place of the Auditor's office, to which room the fire was chiefly confined.

The committee it will be seen, carefully confined their exculpation of Wolcott to the fact that the boxes he was seen to remove were his private property, leaving open the suspicion insinuated by the individuals who had made the statement, that he was not unwilling that the records of the department should be destroyed; but the testimony of the principal clerks explained his declining to assume the direction of affairs, in the presence of Mr. Dexter, the Secretary, and in the fact that the fire was already under control. A suit was afterwards trumped up against Mr. Dexter, in the name of the individual who owned the building in which the War Office was situated, the real object of which was a political one.[a] Upon some papers in the cause, preserved by Wolcott, is endorsed the following:

MEMORANDUM.

LITCHFIELD, CONN., 1825.

While I was attending a Circuit Court of the United States, at Albany, in the fall of the year 1801, the interrogatories subjoined were presented to the Hon-

[a] Hodgson vs. Dexter, I. Cranch, 345.

ourable James Kent to obtain my answers on oath. On perusing them, I perceived at once that a snare had been prepared by my political adversaries at Washington, to obtain minute answers to a great variety of questions affecting my honour and the characters of public men with whom I had been associated in the public service. I determined at once that I would not answer any interrogatories out of court, but would go to Washington, and there meet any accusations which any politicians or others might have the hardihood to adduce. I appeared at Washington, visited Mr. Jefferson, the Vice-President, the Heads of Departments, and Speaker of the House of Representatives. When the Court convened, I attended, and presented the interrogatories which had been sent to Albany, and offered myself to meet any inquiry which might be instituted. I stated that I would not voluntarily answer such questions, but would submit myself to any order of the court. The interrogatories were read before a numerous and respectable audience, from all parts of the country, and they excited general disgust and indignation. The intriguers soon perceived that their trap had been sprung, without injury to those for whom it had been set. They fell to quarrelling among themselves in presence of the court, who commanded silence. I was then sworn in open court, and put in the answer, of which a copy is recorded, which explained the cause of the fire, in a manner wholly satisfactory to the audience.

I consider the manner in which the interrogatories which were sent to Albany were framed, as one of the most flagitious and profligate devices of party malice, of which I have any knowledge. I PRESERVE THE PAPERS AS COLUMBUS IS SAID TO HAVE PRESERVED HIS CHAINS, AS MEMORIALS OF THE INDIGNITIES I HAVE SUFFERED WHILE IN THE SERVICE OF THE UNITED STATES, FROM THE EVIL EFFECTS OF WHICH, I HAVE BEEN PROTECTED BY THE KIND PROVIDENCE OF A MERCIFUL AND JUST GOD.

The interrogatories certainly merited the appellation bestowed upon them. They were prepared with great minuteness and the utmost professional art. The cross examination of a house-breaker's suspected accomplice could not have exhibited a more searching ingenuity. They were directed not to any of the legitimate objects of the suit, but solely to the implication of Wolcott in the firing of the War Department, to conceal frauds, of which it was assumed to have been the scene, and in an alleged obstruction, even by personal violence, ! of attempts to extinguish it. The source from which this dastardly and scandalous blow at the reputation of men of pure and unsullied character proceeded, was well understood. The Mr. Joseph Hodgson who appeared as plaintiff on the record, was but the cat's-paw of more distinguished

personages. The refutation, however, of these slanders is to be found in public opinion. There no impression was ever made by them beyond the contracted list of those who, capable of such acts themselves, were ready to suspect any and all of similar knavery. And had further disproof been wanting, it was given by the searching but unavailing investigations of men, not unwilling to detect in the acts of their predecessors, the means of their more complete destruction.

Is it to be wondered at, that when such scenes as these were enacted under the instigation or countenance of the anti-federal leaders; when the lying pen of Callender was subsidized by Jefferson to slander his political enemies; when Paine received the honors of an ambassador for an attack upon Washington; when Bache, Freneau, Duane, and a countless horde of lesser mercenaries, were rewarded by the patronage of party; when every wretch, who, by zealous assiduity in sedition or falsehood, had arrived at the dignity of a state prosecution—every clerk, who, turned out of employ for worthlessness or incapacity, sought to revenge himself by furnishing garbled accounts or fabricated conversations, was exalted into a political martyr; when a general warfare was carried on against their private character as well as their political opinions, that the federalists cherished a bitter and envenomed hatred against their opponents; that with the righteous indignation of outraged honor and calumniated purity, they, in turn, pursued and exposed the practices with which they were encountered, and by which they were defeated? Much has been said and written of the vindictiveness with which they assailed their successful rivals when finally driven from power; but let their experience of the malignity of those rivals be remembered, let the ferocity with which the whole artillery of legislative and executive vengeance was armed against them, be recalled, and the assertions of the federalists, if ever unjust, will at least be

found not without example or provocation. Never was a body of men more unscrupulously or wickedly belied in their own day and generation; never a party in reviling which more ingenuity and zeal was displayed; but the names to which the future historian will turn with most satisfaction, and the patriot of succeeding ages will point with most pride, will yet be found in the ranks of those of whom WASHINGTON was the chief and the example.

An attempt was made in the early part of the session to obtain the repeal of the law, directing the valuation of lands and dwelling houses, and the enumeration of slaves; but the committee of ways and means, who were directed to enquire into the expediency of the measure, reported on the 30th December against it. The committee stated that the valuation not being complete in all the states, the repeal of the act would defeat the direct tax in those states. One great object contemplated at the time of its passage, and which still existed, was to organize a system for laying direct taxes, in case the legislature should at any time be obliged to resort to them, and to relinquish the object after the expenses had been incurred, would be a proof of instability, not of wisdom. Though it was hoped that further direct taxes would not become necessary, yet as it was impossible to pronounce this with certainty, the committee considered it expedient to pursue a system, which, in cases of emergency, would draw into the treasury with certainty and expedition any reasonable sum which the public necessities would require. The attempt at this session failed, and the valuations were finally completed. Of the tax of $2,000 000, imposed by the law of 1798, the sum of $734,223 97, it may be mentioned, was collected during 1800, the nett balance of over $1,000,000 being received in subsequent years.

An unsuccessful effort was likewise made to procure the release of the claims of the United States upon the debtor States, for the balances found due upon the final

settlement of the accounts. Congress, by the act of February 15th, 1799, had engaged that any state against which a balance had been ascertained, might discharge itself by a legislative engagement, to be passed before April 1st, 1800, to pay to the United States within five years *the sum assumed in the debt of such State* or by expending monies to the like amount in the erection of fortifications. New York alone, had, within the limited time, passed such an act, and had already received credit at the treasury for a portion of her balance expended in fortifications. As there were no means of compelling payment, and it was unwise to keep alive a source of irritation, the committee recommended the relinquishment of the claim. The measure, however, failed.

The most important of the acts of this session, was the well known act "for the more convenient organization of the Courts of the United States," which became a law on the 13th of February. By this act it was provided that the Supreme Court should be holden at Washington twice a year, by any four judges, and that after the next vacancy, it should consist of five justices only. For the better establishment of the Circuit Court, the United States was divided into districts, which were classed into six circuits, in each of which there was to be a court consisting of three circuit judges, who were vested with the powers before granted to the Circuit Courts of the United States.

This law was one of those acts of the federal administration which excited the most deadly hostility of Mr. Jefferson and the Virginia party. The detestation in which they held the federal judiciary is well known, and some of its motives have already been hinted at. It was there that they beheld the great conservative principle of the constitution, the strongest hold of the national government upon the people, the only check on the encroachment of the states, the instrument which enforced salutary but disagreeable laws, the power which collected debts

and controlled demagogues, which was beyond the reach of majorities, which, strong in its tenure of office, feared no clamor, sought no popularity, which in its lofty integrity was beyond the reach of corruption, and whose independence made ambition itself subservient to virtue. Such an institution had proved the greatest obstacle to Virginia policy; its extension threatened it with defeat, and hence sprung opposition to the passage of the law, and a violation of the constitution in its subsequent repeal. The sentiments of Jefferson, as regarded the judiciary, are to be found every where in his writings; they develop themselves in the idea that the common law was not in force in the federal courts;[a] in the proposition of a Virginia law of præmunire against those who carried their causes into other than state courts, when those had jurisdiction;[b] in the expressed opinion that the judges should be appointed for limited periods;[c] in the attempt to procure a suspension of the habeas corpus act; in the ferocity with which he attacked MARSHALL, when he refused to become his tool in convicting BURR.

With these feelings, it is not to be wondered at that the judiciary bill of 1800 met with opposition from Mr. Jefferson's followers. Their misrepresentations were however extraordinary. The measure was not a novelty; it had not been got up as a means of providing for partisans when driven from the other offices of government. It had been called for by the almost unanimous voice of the bar throughout the union; it had been urged by the judges of the Supreme Court, who were taxed with inordinate labor; it had been prepared with great care and ability; it had been delayed by anti-federal opposition to the middle of February, and because but three weeks remained of the session in which appointments could be

[a] To E. Randolph, III. Jefferson's Writings, 425, and see, also, Tucker's Life of Jefferson, II. p. 61.

[b] To Monroe, III. Jeff. Writings, 366.

[c] Letter to Gov. Barry, July 2d, 1822. Appendix to Pickering's Review.

made, under an act taking present effect, a clamor was raised by the party from one end of the Union to the other, and the atrocious judiciary bill, with its train of so-called MIDNIGHT JUDGES, was raised into another standing bug-bear of party, and has been handed down to the present as some undefined, dark, and dread conspiracy against the liberties of the country.

The votes of South Carolina for Mr. Jefferson and Mr. Burr, had decided the fate of the election as between the federal and the democratic candidates for the Presidency. Had the result there been otherwise, the choice would still have devolved on the House, but with this difference, that Mr. Adams, as equal with both, would have been a third from whom the selection could be made. In this case, the event might have been different; the hostility of the federalists to Mr. Jefferson would with this advantage, have led, in all probability, to some arrangement by which he at least, would have been excluded. The details of what followed have been too often given to need repetition. The tenacity of the federalists in supporting Mr. Burr, who had by no party been considered as a candidate for the Presidency, must be admitted to have been a political error. The probable character of his administration, had he been elected, is however a legitimate subject of speculation. It would have undoubtedly been more able and energetic than that of Jefferson; it could not have been more corrupt. It would, perhaps, have more daringly infringed the letter of the law; it could not have more completely sapped the foundations of good government and public virtue. Hamilton, it will be seen from his letters, earnestly, but in vain opposed the course of his party. Wolcott, perceiving no choice between the two evils, awaited with sullen indifference the result of a contest in which the victory of either combatant was to be fatal to the cause he had cherished.

The opinions entertained by him on the subject of this

election, and the consequences which grew out of it, will be found at some length in a message to the legislature of the State of Connecticut, in the year 1824, when the the election of President was a second time referred to the House, and also in a letter written to the Hon. Henry W. Edwards, about the same time. From this letter, an extract may be given here.

"When the influence arising from the pure character and preëminent services of Washington was withdrawn from our system, the elections of a President and Vice President no longer had reference to personal considerations, but to mere party views, engendered by a diversity of opinion in relation to the fitness or unfitness of public measures. The soul of the opposition to the system of Washington was Virginia, and this opposition assumed the popular name of the Republican party. In the summer of 1796, the members of Congress of that party, or at least most of them, met and nominated Thomas Jefferson and Aaron Burr for their candidates. The federal party nominated John Adams and Thomas Pinckney. The result of the battle was, that John Adams had been elected President by a majority of three votes over Mr. Jefferson, and that the fifteen votes from Virginia had been diverted to Samuel Adams. This gave great offence to Mr. Burr, who complained of bad faith. At the next conference or *caucus* of the Republican members of Congress, Mr. Burr required as a condition of his consent to be their candidate, that highly respectable members of the Republican party should write letters stating that their honour was pledged to endeavour to procure for him an equal vote with Mr. Jefferson. I have no doubt, from information which I received, (though I have never seen a letter to that effect) that this condition was complied with; at any rate, an equal vote for Mr. Jefferson and Colonel Burr was in fact obtained. If it was wrong in the Republicans to make this stipulation, it was equally wrong or more so, in the federalists to attempt to disappoint the known wishes of the electors. Neither party can now reflect with much satisfaction on their conduct, and both are, I hope, disposed to regret the errours which they have mutually committed.

The abortive effort to elect Colonel Burr President of the United States, overwhelmed the federal party, and caused an alteration in the constitution, by which the electors are required to designate the office for which their votes are intended."

This change Wolcott regarded as one destined to exert an important influence in the future tranquillity of the states, by reviving sectional feelings and displacing one great connecting principle in the constitution. The office of Vice President, in his opinion, thereby lost much of its dignity and importance. It was thenceforth no longer a

natural step to higher honors, but rather a slough, in which those who were deluded to enter, sunk irrevocably. These views, which the lapse of time seems to have fully corroborated, experience has even, in furnishing the exceptions, but more effectually shown to be just. With those exceptions, the second office of the government has ever been the death-bed of ambitious hope, and they, from their peculiar circumstances, furnished only proofs of the general rule.

There is one allegation touching the intentions of the federalists in this election which cannot too often be stamped with falsehood. It was, that they contemplated preventing any choice of President, and by force of their majority in Congress[a] placing the office in commission. The charge is supported only by the assertions of Jefferson, is without corroboration from any source, and has been contradicted by the oaths of men whose bare word was worth more than his most solemn adjurations. But what shall be said of the charges of the anti-federalists against each other—the secrets of their party which time has disclosed or vindictiveness invented?[b] What of the duplicity of Jefferson as exhibited in the cotemporaneous letters to his friend and his rival? What of his alleged fraudulent declaration of the vote of Georgia? What of the intrigues which it is said that Burr carried on with the enemy? The sins of federalism were at least not those of dishonesty.

FROM SAMUEL W. DANA.

CAPITOL, Feb. 11, 1801, 4 o'clock, P. M.

My Dear Sir,

I have baited three times for the post-office fishes, and find that they do not bite at a member of Congress as readily as at a Secretary.

[a] The federalists had a numerical majority in both Houses, though not a majority of states in that of Representatives.

[b] See Davis' Life of Burr, Vol. II., Ch. 65, and *passim*.

There is a recess for one hour in the balloting for President. There have been seven rounds in our House. Every round the votes of the states have been for

Mr. Jefferson, - - - - - -	8
Aaron Burr, - - - - - -	6
Divided, - - - - - - -	2
	16

One sick man has been brought to the House. He lies on a bed in one of the committee rooms. The two tellers for the particular ballot of the state go and receive his ballot. The person is Mr. Nicholson. Having been unwell several days myself, I do not go home to dine, especially as there is a snow-storm of unusual severity for this place. As I have tried abstinence from food for three days, I consider myself seasoned tolerably to the present singular situation. What is to be the result of this extraordinary election I know not. Connecticut will every man stand to his vote. The Jeffersonians can acquiese in Burr with less reproach than the federalists can agree to Jefferson.

By to-morrow morning, probably, there will be some alteration, if the balloting is thoroughly persevered in during the night.

S. W. DANA.

FROM DANIEL SHELDON, JR.

WASHINGTON, Feb. 18, 1801.

Sir,

* * * *

It is probable that your friends in Congress have already informed you that Mr. Jefferson was at length chosen President yesterday by the votes of ten states, four still adhering to Mr. Burr, (the four New England states,) and two having voted with blank ballots.

Immediately after the choice was determined, Mr. Bayard was nominated to the Senate as Minister Plenipotentiary to France. It is reported that arrangements are making so that he will be able to set sail in the course of next week.

Mr. Stoddert has already sent in his resignation to Mr. Jefferson, and it is somewhat curious that he enclosed it to Gen. Smith (of Baltimore) whom conjecture has long fixed upon as his successor, to be by him laid before the President elect. I am, sir, with the highest respect and esteem, your obliged and obedient servant,

D. SHELDON, JR.

Early in February, and soon after the report of the investigating committee, Wolcott left Washington and repaired to Middletown, Connecticut, where his family were residing. His resources but little exceeded what was necessary to satisfy his family expenses for a few months.

Most unexpectedly to him, he was proposed by Mr. Adams, of his own motion, as one of the judges for the second circuit, embracing the districts of Connecticut, and Vermont, and the two districts of New York. The circumstances attending this nomination are detailed in the following letters:

FROM CHAUNCEY GOODRICH.

CAPITOL, Feb. 18, 1801.

My Dear Sir,

I just have a note out of the Senate chamber, announcing that the Honourable Oliver Wolcott, late Secretary of the Treasury, is nominated Judge of the Circuit Court composed of the districts of New York, Connecticut, and Vermont. All I can inform further, is, that after the act passed, it was understood that the President would receive graciously, recommendations of suitable persons for Judges. The federal members of New York proposed Judge Benson as Chief Judge, it being understood he would accept. The Senators and Representatives of Connecticut conferred, and agreed on Judge Sturgis. Your name had been mentioned in conversations among them individually. It was supposed if anything of that kind took place, our recommendation was not available. The Vermont gentlemen proposed Judge Hitchcock. The gentlemen of those states accordingly joined in a recommendation of Judges Benson, Sturgis, and Hitchcock. A day or two since it was intimated to one of the gentlemen of Connecticut, by a person authorized by the President, that he was desirous of appointing you if agreeable to them. Last evening they met, and as the former recommendation was signed by the members of New York and Vermont, they were consulted and all were pleased with the proposed change, and the gentlemen of Connecticut gave intimation of it to the person communicating from the President. I presume you will fare well in the Senate; I will tell you to-morrow how it is.

Elizur Goodrich is nominated Collector of New Haven. Mr. Bayard is nominated Minister Plenipotentiary to France. We are on business—the appropriation bills. The election of President has furnished anecdote for the fireside. Pray go as soon as you can and cheer my wife. I give you powers absolute to act as occasion requires. My love to Mrs. W. I am your obedient servant,

CHAUNCEY GOODRICH.

FROM JAMES HILLHOUSE.

WASHINGTON, Feb'y 18, 1801.

My Dear Friend,

I have the pleasure to announce to you the agreeable intelligence of your being nominated by the President of the United States, to be a Circuit Judge under the new act. The nomination has been brought about in a manner perfectly delicate as relates to yourself, and highly honourable as regards the President. I

will write you confidentially, and more particularly by to-morrow's mail. The persons who are to compose the Court, are at the foot of this letter, placed in the order in which they stand in the nomination.[a] Our friend, Elizur Goodrich, is nominated Collector for the port of New Haven.

With my kind regards to Mrs. Wolcott, I am, dear sir, in sincerity and affection, your friend,

JAMES HILLHOUSE.

FROM JAMES HILLHOUSE.

WASHINGTON, Feb. 19, 1801.

Dear Sir,

I am, as you very well know, in the habit of speaking my sentiments freely and without reserve, to those whom I most love and respect; and believe that it will not wound your feelings or give you offence to hear any disclosure respecting yourself, even though it might not imply that I thought you all-wise or equal to an instantaneous execution of every office or station, however important, or however various may be the talents and acquirements necessary to a discharge of the duties thereof, in a manner that would be honourable to yourself, and to the advantage of your country.

Upon passing the judiciary bill, it became an object of no small importance to induce, if possible, the nomination of judges who would give dignity and respectability to the court. Our delegation met to consult what was advisable to be done on our part; the result of our deliberations was to select a candidate to be recommended as a Circuit Judge for Connecticut, and that New York and Vermont should do the same; and that the delegations from these States should join in recommending the *three*, hoping that a recommendation thus circumstanced, could not be wholly disregarded. The next point was to fix on a candidate. As to yourself, one sentiment appears to have been common to us all, and to have impressed very strongly on our minds the idea, that any attempt on our part to procure your nomination, would be vain, and might produce an irritation that would be attended with unpleasant consequences. Your merits or demerits as a judge, did not of course come into consideration. Upon a free and confidential conversation, and the most mature reflection, Mr. Sturgis was selected as the most prominent and proper character to be recommended, which was done accordingly by all our delegation of the House of Representatives, in connexion with the Federal part of those of New York and Vermont; as also was Egbert Benson to be Chief Judge, and Mr. Hitchcock as puisne Judge. On Saturday last, happening at the office of the Secretary of the Treasury on business, Mr. Dexter told me he wished to mention a matter to me in perfect confidence, and to know whether, in the opinion of the Connecticut delegation, you were qualified to execute the duties of Circuit Judge; whether, if the President should be pleased to make such a nomination, it would be satisfactory to the gentlemen from Connecticut, and whether such appointment would be agreeable to you. I

[a] "Egbert Benson, (Chief Judge,) Oliver Wolcott, Mr. Hitchcock."

replied, I had no doubt of its being agreeable to you, for that from nearly twenty years of faithful service in public employment, first in your native State, and since under the general government, I did not believe you had laid up one shilling of your earnings; that on your part, an attention to business of some kind would be indispensable, for the support of your family and the education of your children—that proposed was certainly very honourable, and the compensation to a resident in Connecticut, would be very ample. As to their disposition towards you personally, I had no hesitation in saying it was perfectly friendly. But as to what might be the opinion of the delegation, in relation to your qualifications to perform the duties of a Circuit Judge, was a question too delicate for me to answer; for myself I would say, that at the present moment I did not consider you so well qualified as Mr. Sturgis; but that you were a much younger man; had laid a good foundation by having turned your attention to the study of the law in early life, and the course of your employment had been that of investigation; that in all questions arising under the law of nations, or in relation to contracts or accounts, and in all causes of admiralty and maritime jurisdiction, you would be perfectly at home; and as to the technical rules of proceeding, and other matters necessary to the complete accomplishment of a Judge, I had no doubt your known talents and industry would soon enable you to acquire. I proposed to Mr. Dexter, to have an informal conversation with such of our delegation as I should happen to fall in with, not however communicating that any such thing was contemplated by the President, or giving any intimation of what had passed between us, and of seeing him again on the subject. Messrs. Griswold, C. and E. Goodrich, were the only gentlemen whom I had an opportunity of conversing with, who fully concurring in the sentiments I had expressed to Mr. D., I went to his office on Tuesday morning, and communicated the same to him. Mr. D. then informed me that there was some difficulty in the mind of the President, as to the arrangement of the judges; that considering the honourable public stations you had filled, he was not satisfied that you should be placed in a subordinate station on the bench. On this subject I ventured to express my own opinion, and what I presumed would be your feelings, which were that the second seat was the preferable one for you; that the State of New York would feel as though it belonged to them in the first instance, to have the Chief Judge; that Mr. Benson was a respectable man; had been in many important public employments, and was now in the honourable station of Judge of the Supreme Court of that State, and was a much older man. There was another consideration of some importance in my mind in favour of your being in the second seat, which was that it would in some measure place you in a situation to be protected from the mistakes and errours to which you might be exposed, until you should have had an opportunity to make yourself acquainted with the technical rules of proceeding, &c. Mr. D. said his sentiments very much accorded with those I had expressed, and that he would communicate fully with the President, and obtain his permission, if possible, to consult the gentlemen of our delegation. Accordingly, just before the hour of adjournment, I received a note from Mr. D., a copy whereof is enclosed, No. 1. I convened the delegation; we were of one sentiment—that having deliberately and formally recommended Mr. Sturgis, a very honourable

man, and one in every way qualified for the office, we could not with propriety do any thing to take back or impugn that recommendation; but as the President was not confined in his choice, nor bound to make a nomination in conformity to our recommendation, in justice to yourself, and from a respect to the chief magistrate, we felt ourselves bound to return an answer to the inquiry contained in Mr. D.'s note, which the delegation unanimously authorized me to do, to this effect; that if it should be the pleasure of the President to nominate you to that office, it would be perfectly satisfactory to them, thinking you would be qualified for such appointment. This was not done, however, until the gentlemen from New York and Vermont had been consulted, who fully concurred therein. A copy of the letter communicating the information to Mr. D. is enclosed, No. 2. Next morning, that is, yesterday, the nomination came in, and will be confirmed by the Senate, not only without hesitation, but with a manifest expression of pleasure. The occasion required I should act promptly, and my feelings impel me to a frank and full communication of every thing that passed, which I hope will meet your approbation. Sure I am, that every thing I did was from motives the most pure, and friendship the most sincere. Remember me respectfully and with affection to Mrs. Wolcott, and be assured I am, dear sir, &c.

JAMES HILLHOUSE.

No. 1.

Tuesday morning.

Dear Sir,

I have authority from the President, to mention Mr. Wolcott to the gentlemen from Connecticut, as Circuit Judge. If they think it would be a proper appointment, he would wish to hear so before to-morrow, as he intends making the nomination then. Yours, with great respect,

SAMUEL DEXTER.

Hon. MR. HILLHOUSE.

No. 2.

Tuesday evening, 6 o'clock, P. M.

Dear Sir,

On the receipt of your note, I conversed with the gentlemen from Connecticut, and communicated to them the contents thereof, who have unanimously authorized me to say, that if the President of the United States shall be pleased to nominate Mr. Wolcott as a Circuit Judge, it will be perfectly agreeable to them; he being in their estimation a person well qualified for such appointment. With perfect respect and esteem, I am, dear sir, your ob't serv't,

JAMES HILLHOUSE.

Hon. MR. DEXTER.

The nomination, it deserves notice, was confirmed by

the Senate UNANIMOUSLY. Wolcott's commission bore date February 20th, 1801.

FROM URIAH TRACY.

CITY OF WASHINGTON, 20th Feb., 1801.

Dear Sir,

I am not able, or willing to suppress my pleasure at your appointment to the office of Judge of the Circuit, consisting of Connecticut, Vermont, and New York. Egbert Benson is appointed Chief Judge; you are the next, and Samuel Hitchcock, of Vermont, the 3d. This has been effected by some of your friends; in what manner, I will detail to you when I see you. I hope you will accept. Yours, respectfully,

URIAH TRACY.

FROM JOHN MARSHALL.

WASHINGTON, Feb. 24, 1801.

Dear Sir,

It is with peculiar pleasure I transmit to you the commission which accompanies this letter. Permit me to express my sincere wish that it may be acceptable to you. At the same time, I will allow myself to hope that this high, and public evidence given by the President, of his respect for your services and character, will efface every unpleasant sensation respecting the past, and smooth the way to a perfect reconciliation. I am, dear sir, with much esteem, your obed't.

J. MARSHALL.

FROM CHAUNCEY GOODRICH.

WASHINGTON, Feb. 24, 1801.

My Dear Sir,

Your appointment to the office of Judge, passed the Senate UNANIMOUSLY. You may be assured your friends here manifested peculiar felicitations in a circumstance which they believed would be both grateful and advantageous to you. They have not been inattentive to the embarrassments you may at first experience, for want of technical knowledge of practice. All, however, are of opinion, that these embarrassments will soon be overcome; and then, they expect to see in you the *American Mansfield;* a kind of character, if it exists at all in our country, we certainly are not overstocked with. I think you ought not to hesitate as to an acceptance, and you know the value of my sentiments on cases much more casuistical than this.

Mrs. Lewis is standing just behind me, at my elbow; and all males, however wise, and all females, however lovely at a distance, will agree, that the matter in hand is, of all others, most pressing; and Mrs. W. must be content with my love *en passant.* I am, your affectionate friend,

CHAUNCEY GOODRICH.

A testimony of this nature, coming voluntarily, and unsolicited from the President, could not but efface from Wolcott's mind, every sentiment of *personal* ill will. Rigid as he was in adherence to principle and the sense of duty, no man was more placable, when an atonement was voluntarily offered for individual injury. The appointment had been made by Mr. Adams, with the full knowledge of Wolcott's political views, which were indeed, no secret to any one; its acceptance, therefore, carried with it no humiliating sense of obligation to one who had been secretly undermined. The moderation which had always characterized Wolcott's language, as regarded even those measures which he opposed; the temperate and charitable constructions which he had put upon Mr. Adams' motives, while he disapproved of his acts, had placed no bar to his receiving from him an official station which neither depended on the caprice, nor subjected him to the personal infirmities of the chief magistrate; and his guarded conduct in their intercourse, had subjected him to none of the grosser indignities which had so justly provoked the enmity of others. The office afforded an honorable, and independent retirement. His resolution was therefore easily taken.

TO JOHN MARSHALL.

MIDDLETOWN, March 2d, 1801.

I have received your favour of the 24th of February, and cordially thank you for the obliging expressions of your friendship. The appointment with which I have been honoured, was unexpected; and I learn with pleasure that it was unsolicited by my friends.

Being sensible that I owe this distinguished proof of confidence to the favour of the President, duty and inclination naturally inspire sentiments of gratitude and good will; and I assure you, that I yield to their influence, not only without reluctance or reserve, but with the highest satisfaction.

It is impossible that I should not feel the greatest diffidence of my qualifications for the appointment, yet, so far as diligence and fidelity can compensate for the deficiencies of which I am conscious, I may hope to render my services acceptable.

TO JAMES HILLHOUSE.

MIDDLETOWN, March 18, 1801.

I have not been able before now, since your return to Connecticut, to acknowledge your kind favours of Feb. 7, 18, and 19, from Washington. The part you have acted, has been that of a sincere and intelligent friend; and the opinions which you and the other gentlemen expressed, on the subject of the late appointment, with which I have been honoured, were sufficiently favourable. I feel the utmost diffidence of my qualifications, but under the influence of the most grateful sentiments, I shall certainly endeavour, by all the means in my power, to merit their confidence and approbation.

TO JOHN ADAMS.

MIDDLETOWN, March 28th, 1801.

I embrace the earliest opportunity which I have been able to improve, since your arrival at Quincy, to express my most sincere acknowledgements for the distinguished proof which I have received, of your confidence, in being appointed a Judge of the second circuit of the United States.

My friends have communicated to me the circumstances which attended the appointment; by which I hear with the highest satisfaction, that I owe the honourable station in which I have been placed, to your favourable opinion, and in no degree to their solicitation. Believing that gratitude to benefactors is among the most amiable, and ought to be among the most indissoluble of social obligations, I shall, without reserve, cherish the emotions which are inspired by a sense of duty and honour on this occasion.

FROM JOHN ADAMS.

STONEY FIELD, April 6, 1801.

Dear Sir,

I have received your favour of the 28th of March, and read it with much pleasure. The information you have received from your friends concerning the circumstances of your nomination to be a Judge of the Second Circuit of the United States is very correct. I have never allowed myself to speak much of the gratitude due from the public to individuals for past services. But I have always wished that more should be said of justice. Justice is due from the public to itself, and justice is also due to individuals. When the public discards or neglects talents and integrity, united with meritorious past services, it commits iniquity against itself by depriving itself of the benefit of future services, and it does wrong to the individual by depriving him of the reward which long and faithful services have merited. Twenty years of able and faithful service on the part of Mr. Wolcott, remunerated only by a simple subsistence, it appeared to me, constituted a claim upon the public which ought to be attended to.

As it was of importance that no appointment should be made that would be

refused, I took measures to ascertain from your friends the probability of your acceptance and then made the nomination, happy to have so fair an opportunity to place you beyond the reach of will and pleasure.

I wish you much pleasure and more honour, in your law studies and pursuits. and doubt not you will contribute your full share to make justice run down our streets as a stream.

My family joins me in friendly regards to you and yours. With much esteem, I have the honour to be, sir, your most obt. and humble servt.

JOHN ADAMS.

With the third of March 1801, terminated Mr. Adams' Presidency. Without waiting to see the inauguration of his successor, he precipitately left Washington at an early hour the next morning. Could he have feared another such trial of his sensibilities as attended the retirement of his predecessor?

It seems to have been Mr. Adams' fate to suggest moral reflections at his own expense. In a letter to his daughter, of January 1796, he makes the following remarks.

"Governor Adams' speech, too, I have read. From the effect of old age upon such minds as Adams' and Styles', I am led to deprecate a much longer continuance in public life. It is an awful reflection that every weakness, every folly, every resentful, vindictive, malignant passion of the heart, which in the vigour of understanding may be corrected or suppressed, must break out and show itself to the world and posterity from the trembling lips and shaking hands of seventy or eighty years. May my farm and family only be witnesses of my dotages when they must arrive; may they forgive and veil them from public view. The worst of it is, a man is not conscious when they make their first approaches, nor perhaps in any stage of their progress." [a]

At the conclusion of one of the Patriot letters, occurs the following simile:

"In some of my jocular moments I have compared myself to an animal I have seen take hold of the end of a cord with his teeth and be drawn slowly up by pullies through a storm of squibs, crackers and rockets, flaming and blazing round him every moment; and though the scorching flames made him groan and moan and roar, he would not let go his hold till he had reached the ceiling of a lofty theatre, where he hung some time, still suffering a flight of rockets,

[a] "Correspondence of Miss Adams, daughter of John Adams," &c., 12mo. New York, 1842. Vol. II. p. 145.

and at last descended through another storm of burning powder, and never let go till his four feet safely landed on the floor." [a]

Mr. Adams overlooked the moral of the comparison.

Thus fell the power of the federalists in the councils of the nation. It may not be useless to review the causes of their fall.

Between the various colonies and provinces which constituted the United States, there were, as in a less degree than are now, great differences in the character of their people, and in the nature of their local institutions. New England, New York, Virginia, and South Carolina, were even more unlike than many of the nations of the Germanic Union. Though springing chiefly from a common race, the inhabitants had been drawn from classes of society, widely separated by religious and political principles; they had emigrated from the mother country under different auspices, with different aims and objects, and at periods distinguished by different characteristics. Time had not rendered them more homogeneous; without political connexion, without uniform laws, or even similarity in the forms of government, with many sources of rivalry or jealousy, the colonies, until one great common object had swallowed up all individual interests, were at the best very distant friends. Fellowship in war, increased intercourse during the government of the confederacy, had partially extinguished the prejudices of individuals, but had not assimilated the masses, for the interval which elapsed between the conclusion of peace and the adoption of the new constitution was little more than a period of national anarchy.

New England, of all the great sections, was the most

[a] Letter XVIII.

democratic in the character of its people and of its government. Industry, simplicity of life and manners, were almost universal. Intelligence was more equally diffused, property more equally divided, than ever elsewhere occurred in the same population. The laws too, were more equal in their operation, and a greater proportion of the people were concerned in their enactment. The asperities of the Puritans had worn away, many of their virtues remained; love of order and morality, a firm, steady, rational attachment to liberty marked their descendants.

New York possessed much less of these features. A succession of British governors, the refuse of the aristocracy, had introduced habits of luxury; wealthy families of Dutch and English descent still held vast landed estates, maintained an almost feudal magnificence, controlled extensive interests, and cherished their pride of birth; the English Church, always aristocratic in its tendency, had contributed to foster this spirit, and the character of the people at large had suffered by its influence.

Virginia, the citadel of democracy in theory, was, South Carolina perhaps excepted, the least democratic of all in fact. What in New England sprang from the manners and habits of the people at large, was there only the result of a fashionable philosophy. In spite of the brilliant paradox of Burke, the experience of history has ever proved that whether population be divided into lord and serf, or master and slave, the result is the same. Democracy is but a name where social distinctions exist.

South Carolina, though in many respects to be classed among the States of which Virginia was a representative, in some should be considered as belonging to a fourth division. Like her aristocratic in social organization, she possessed a perhaps less questionable foundation for its spirit in a higher refinement and more diffused intelligence.

Thus dissonant in point of character, stood the great divisions of the country, and thus with some exceptions were they divided when the subject of a new constitution was proposed. The agricultural and commercial population of the North generally favored its adoption. Carolina at the South, most opposite to New England, stood with her shoulder to shoulder in its support, as she had done in the revolution which it terminated. The wealthy land-holders of the centre and central South, as generally opposed it. The power and influence which they held in their own states, they foresaw would sink with the diminished power of the states themselves. Other sectional interests contributed to swell the opposition. The smaller states thought themselves deeply interested in preserving the existing form of representation; the larger were bent on the substitution of one, to them, more advantageous. The non-commercial states were unwilling to grant to the whole the power of regulating trade or imposing taxes on imposts. The states indebted to foreigners, feared to grant a power which might aid their collection. State pride shrank from the idea of a government above the states.

Such were some of the causes of opposition to the remodelling of the confederation. But the dangers which hourly thickened round the country, which the imbecility of the league could not avert, at length, in despite of them, forced the adoption of the constitution. That constitution has been termed an experiment. It was an experiment, one of the greatest and most eventful that the records of history exhibit. Franklin himself hung not with more eager suspense over the key which unlocked the secrets of heaven, than did its framers over the fate of the system they had created. We now know that whatever had been the result of either essay, the great truth was still the same; the element was there though it should not have obeyed his call, and sooner or later the great

principles of human right would have been developed. But ages might have passed without another Franklin; centuries of oppression and of revolution without another republic. No precedent had shown to the statesman of the revolted colonies the capacity of the people for self-government. The waste of history was strewed with the ruins of former trials. The modern democrat censures the pioneer in government for want of faith in the people. Let him remember that the people had never yet given a proof of their capacity; that six thousand years of the world's life had never yet exhibited a commonwealth founded upon the broad basis of unlimited suffrage; that every approximation to that system had hitherto proved abortive. Let him read too the infant history of his own government, and behold how many and how great were the dangers that menaced it with ruin, and how nearly domestic faction and external violence accomplished its destruction. The science of government does not spring full grown into life. But for the federalist, whose hand and eye were firm, though in his heart there were sometimes deep misgivings, they who now, in the matured wisdom of experience, sneer at his caution, might, like the French by Napoleon, have been crushed under the most terrible of despotisms, that which is "established on the ruins of liberty abused to licentiousness."[a]

To the federalists it has been said, belongs, for the most part, the formation of the constitution; on them rests therefore the responsibility of its success, so far as the instrument itself is concerned. But it is not upon instruments that good government depends. "Constitutions are but paper, society is the substratum of government."[b] It is to the will of the governed that a constitutional system, however good, must look ultimately for its duration and

[a] Washington's letter to the Governors of the States, 8th June, 1783.

[b] Fisher Ames' MSS.

its virtue. Of the excellence of the frame itself we can now judge with some degree of correctness. Of the proper objects of power to be there vested in the whole, it would be more difficult to point out those which were unwisely delegated, than those which were injudiciously withheld. Nor could the distribution of those powers be well altered. The melancholy story of the federation showed the stern necessity of a compulsory power in the general government, to execute the duties confided to it; and the history of the present government itself has, on more than one occasion, manifested, that the power of the Union is barely adequate to compel the execution of its laws, when resisted even by a single state, or party in a state. The fate of the French republic has demonstrated the propriety of a single executive and of a senate, differently constituted from the representative branch. In respect to the tenure of office, and the extent of jurisdiction of the judiciary, the objections against them were too easily understood to be dangerous, when the first violence of attack had passed. A better test of the excellence of the constitution cannot be found than this, that of the various amendments proposed during fifty years, so few have received the sanction of the people or even of Congress. Great national majorities have from time to time existed, of dominant parties; all have been sparing in attempts at improvement; the worst have been content with *infringement*.

The period during which the federalists held the ascendency in the administration of the national government, was one of no ordinary trial. The system itself was a novelty, founded in the midst of dissentient opinions, and established in the face of powerful opposition; its parts were to be adjusted and arranged, its proper attributes and limits settled and defined, the relations of the individual members with the whole to be harmonized, and the great and complicated machine to

be set in motion. Besides the necessity of thus creating from a mass of disorganized materials the frame-work of society itself, and of establishing the details of its functions; of devising a system of finance, by which, from a family of states hitherto unused to any general and common system, revenues should be raised, bearing equally upon all, revenues capable of meeting debts of extraordinary magnitude for a people of limited numbers, whose resources had never been developed, and who were already exhausted by a long war; of adopting plans of state policy under novel circumstances and relations, expansive as the growth of the nation, and to be permanent as its existence; of embodying laws; of rebuilding commerce from its wrecks, and calling forth arts and manufactures where they had been unknown; there were other obstacles in their path. Almost coeval with its birth commenced a war, which, in extent, magnitude, and objects, was the most gigantic in the history of bloodshed. Institutions, hoary with age and venerable from their sanctity; empires which had seemed as permanent as the existence of man; despotisms, whose iron grasp had for centuries stifled the very breathings of liberty; laws, and usages stronger than laws, which for good or evil had moulded men after their own fashion; priestcrafts and castes, obeyed by prescription, were at once swept away before the whirlwind of revolution. The effects of this convulsion had not been confined to the shores of Europe or the east; they had extended to America also. Here, meanwhile, the same opposition which had exerted itself against the formation of a government, was continued against its operation. It was with mutiny in the crew that the federalists had to steer the ship of state through the dangers of an unexplored ocean, in this the most tremendous storm which ever devastated the civilized world. Every measure which might tend to a development of the power of the general government, was

resisted. Every embarrassment was thrown in the way of its action. The impatience which naturally arises from new burdens, was taken advantage of, though their object was to pay the price of freedom itself. Sedition was stirred up to resist them. Falsehood and misrepresentation were employed; distrust excited against tried and firm patriots. The personal popularity of demagogues was used to ruin men, whose purity would not permit them to court the passions of the multitude. Alien influence was sought out to thwart or to govern the citizen. The national feeling in favor of republicanism, on the one hand, and national detestation of monarchy, on the other, were invoked to render odious an administration which refused to sacrifice the peace of their own to the interest or the ambition of a foreign land; the dread of war with France was held up as a bugbear to the timid, the fear of subjection to Britain as a spectre to the patriot. Public gratitude and popular hatred were alike aroused and called to aid.

There was undoubtedly an exciting influence, which rendered the attacks of the opposition upon the government more potent than they otherwise might have been, arising from the character of the people themselves. The sagacity of the anti-federal leaders fully saw and appreciated the fact so truly expressed by Mr. Cabot, "that the sentiments of the people were essentially democratic, the constitution of the government was only republican." The distinction was a vital one. There existed undoubtedly then, as perhaps to a more general though not more aggravated degree, there exists now a disposition to set up popular will above the laws made by the representatives of the people, to create as it were a law paramount to the fundamental laws of the land, a law uncertain, intangible, depending upon fluctuating and excited passions, and whose being is alike without authority or responsibility. This ultra democratic tendency had been firmly

and consistently resisted by the federal party; it had been as sedulously cultivated by their enemies. It was the fulcrum upon which rested the lever which was to overthrow the original system of American policy.

There is nothing in the abstract idea of a general government of the states, however consolidated, which in itself militates against the purest democracy. A single central government may be as democratic as a confederation of states. The most enthusiastic radical might have preferred, so far as mere form was concerned, the total abrogation of state powers. Thus it was in France that the Jacobins adhered to the plan of a republic, "one and indivisible;" the more moderate Girondists on the contrary, projected local and departmental governments, united, as here, by a central and distinct general body with restricted powers. So too among the federalists of the United States, there were those who cautiously desired to restrict the national powers of government to national objects. As applied to the form of government, the epithet "federal" was incorrect.

The objects of the two parties in supporting or opposing the more extended powers of the central government were widely separated from their views in regard to democracy as a system. The opponents of the constitution adroitly seized upon this popular doctrine as a means of accomplishing their own ulterior and distinct views; the advocates of that plan resisted the progress of democratic principles on other and different grounds. Constitutionalism and democracy were thus distinguishable—that the first was simply a plan of government, the last was a question of political opinion.

The ground on which the opposition succeeded in putting the contest was undoubtedly the strongest they could have taken. There is that in the character of the democratic theory which recommends it to the imagination of many classes. Not the poorer class alone, who expect

in its prevalence greater advantages to themselves, or at least greater control over the rich—not the demagogue only, who hopes in its success the gratification of a selfish ambition—but men of a higher order, both of intellect and of character, rank among its disciples. The visionary, who looks for truth in abstractions instead of experience, the philanthropist, dreaming of the perfections of his race, often, too, the patriot, in his indignation at the tyranny of the few, seeking a refuge for liberty in an opposite and as dangerous extreme; are its advocates and adherents.

A force and activity was given to this spirit by the events of the French revolution, inferior in degree alone to the insane vehemence which manifested itself in that citadel of Jacobinism—Paris. Its power was directed to further the objects of a party originally constructed for other ends; it was so far useful that it furnished the groundwork of successes which otherwise would have been unattainable—successes which, though averted for a time, must ultimately have been with this assistance achieved. But with all these expedients to break down the influence and power of the federal party, it is doubtful whether the opposition would have at this time proved victorious had it not been for the conduct of Mr. Adams. Some of the late measures of Congress, such as the alien and sedition laws, the stamp and direct taxes, had, indeed, caused great dissatisfaction; but the former were chiefly obnoxious to the men who had with equal pertinacity resisted every other measure of the administration, and opposed these with more violence of outcry only because they furnished more sonorous watchwords of party; the latter, though like all other taxes unpopular, were necessary provisions against the contingency of war. The country was fast awaking to a sense of the true nature of the differences with France; general indignation was aroused at her continued outrages, and the national pride would have borne any impositions for the sake of reparation or de-

fence. The federal party never stood on firmer ground than during the year 1798, when these measures had all the odium of novelty, and it was from the most sanguine expectations of success that it sank at once into despondency and ruin. The apostacy of its ostensible head, the abandonment of a settled policy, the proscription of men trusted and beloved; alone were able to accomplish its defeat.

To the radical unfitness of John Adams to preside over the nation for whose independence he had indeed honorably and ably labored, is the fate of federalism immediately attributable. His character has been already examined—the motives and tendency of his acts scrutinized; his insane jealousy and suspiciousness, his morbid irritability, egregious vanity and egotism, his obstinacy and vacillation, have been exhibited. In these personal attributes of one, occupying an all-important post at a most critical period, we may trace the efficient cause of the consequences which now developed themselves. Modern instances are not necessary to prove that the defection of even an ostensible political chief must necessarily involve, at least, the temporary defeat of his party. The attacks of the opposition, skilful and constant as they were, had, down to the year 1798, done little effectually to break or divide the well-knit ranks of the federalists. In an evil hour it was enabled to make the passions of their head subservient to his own destruction and that of his party, and Mr. Adams had the doubtful satisfaction of gratifying his revenge upon Hamilton at the cost of his own ruin and that of those who had supported him.

The name of FEDERALIST has become identified, in popular opinion, with all that is odious in government. The justice of this reputation demands an examination, and in performing the task it is intended in this place to confine the inquiry to the period for which alone they are responsible—that previous to Mr. Jefferson's inauguration.

Their subsequent history must be reserved for a future comment.

They stand charged with having promoted a war with France; and the motive is assigned to them that they desired to perpetuate the national debt as a means of government, and to bring about a closer connexion with England, as a step toward the introduction of monarchical government here.

It would seem unnecessary at this day to combat these absurdities, but recorded as they have been by the great apostle of democracy, countenanced in some sort by the fretful epistles of Mr. Adams, and still raked up from time to time by partisan writers and orators; it may be proper to notice them in passing.

In respect to the debt, it might be supposed—if the principles of finance laid down by Mr. Hamilton, if his and Wolcott's urgent remonstrances to Congress were sincere, if the messages of Washington and Adams had a meaning, if the efforts of the leading federalists were not hypocritical—that a desire, at least, existed on their part, to make suitable provision for its discharge. So far as the language and the actions of men can be assumed as the test of intention, the federalists most assuredly wished for the extinction of the national burdens. Why those burdens were not in their time more effectually diminished has been seen.

In their opposition to the French revolutionists, they prevented a war with the enemy of France—Great Britain; a war which would have involved a greater sacrifice of property and life—a greater accumulation of debt than any contest with France could have brought about; a war instigated by French emissaries for a merely selfish object, and coveted by their American allies for party purposes alone; a war which had no foundation in principle, and of which the success would have conferred no benefit on the nation or on mankind. It is indisputable, that mea-

sures of a hostile character were only adopted after years of long suffering and forbearance, that they finally had for their object, not conquest or aggrandizement, but security alone. Results have shown the character of the revolution in France; they have proved that if European freedom depended upon its event, it possessed indeed an unstable basis; that the qualities of that people unfitted it alike for the conservation or the promulgation of liberty; and that in their views of its direction and end, the Federalists, and not their opponents, were in the right. With respect to admiration of British institutions, a desire to introduce monarchical government into America, the charges of the anti-federalists, to this time at least, rest upon grounds most untenable and baseless. Garbled extracts from passing conversations; the retailed and falsified remarks of the dinner table, preserved by a personal and political enemy; notes of debates which took place before the institution of the government carefully redrafted and interpolated, after years had passed, by one who, in the meantime, had proved an apostate to his early opinions; the angry assertions of disappointed ambition in its dotage, form the proofs and the corroborations of the imputation as regards one, the most feared and the most detested of the party. And this evidence, had it required impeachment, would find it in the life and in the writings of that illustrious individual—the ablest champion of the constitution—a patriot than whom one more pure or more disinterested is not to be found among our statesmen. As regards the other leaders of the Federal party, time, which always unveils the truth, has in like manner, whenever their opinions have been investigated, given the lie to the charge. Where, indeed, was republicanism to have been sought, if not among the warriors who had averted monarchy by their swords, or the statesmen who had directed the councils of the revolution?—and among those who stood eminent in the

ranks of Federalism, were numbered the vast majority of the distinguished names of that period. What were the materials from which aristocracy—monarchy could have been created? Where the men who could have supported or tolerated these chimeras? Not, certainly, in the mass of the native born Americans; the body on whose intelligence the Federalists relied for the maintenance of their power.

But the army, the navy, have been pointed at as evidence conclusive of such an intention. A navy has never been the means of subjugating, often of preserving its builders; armies indeed have been, and will ever be necessary instruments of tyranny; but they are also instruments of self-protection. And what kind of an army did the Federalists propose to raise for the overthrow of American liberty? Truly, twelve regiments of foot and two squadrons of horse! Such was the array of military force, hardly adequate to protection from the surrounding Indians, which, added to a previous establishment of thirty-two hundred and sixty men, struck terror into the ranks of democracy. And this was all; for the provisional levy of ten thousand citizens, to be called out when invasion should actually occur, or be imminently expected, and to serve only during the existence of foreign hostilities—a levy to be raised from the body of the people, and to return into it—could hardly be used for their destruction.

The Federalists, it is however said, were the advocates of a strong government. True; and if ever a government required strength, the strength derived not from despotic and uncontrolled power, but from efficiency in the exercise of limited powers, it was that of the United States during its infancy; it might be added, indeed, in its manhood. When an insurrection, caused by a whiskey tax; when a horde of strolling propagandists of European jacobinism, or the impatience of a wild frontier State at

the tardy progress of negotiation; could endanger the very existence of a government, then that government indeed required force; but it is to be remembered that the Federal party looked to the strength, not of the Executive, but the legislative and judicial powers, as the safeguard of the republic; that when they defended the Executive, it was against encroachment, not in usurpation; and that in their days, the powers since exercised by that branch, were alike unheard of and undesired. It is very certain that the Federal administrations restrained with more anxiety the license of the citizen; the succeeding ones saw less restriction imposed by the citizen on the Executive. The illustrations may be found in the sedition act, under Mr. Adams, and the all but successful attempt to suspend the habeas corpus act, under Mr. Jefferson. Terrible would have been the expression of popular wrath, had Washington or Adams grasped at such a power as the last would have conferred. Yet it passed an obedient Senate, and though negatived in the House, would have been sanctioned by the party out of it.

But the funding system, the assumption of the State debts, the bank; these, it is said, were the intended instruments of the corruption of the people, which, by turning the legislature into a board of brokers, and the country at large into a vast gambling house, should found the establishment of monarchy on the ruins of private and of public virtue.

Man is the same every where; and speculation, the search for wealth, will prevail under governments of all forms, where the means of its indulgence exist. Political principles have never yet proved a safeguard against individual dishonesty. These things, to some extent the concomitants, can never justly be considered the motives, of any general financial or political system. No debts were created by funding or assumption; speculation in the debt, an evil of at most temporary magnitude, existed

to a greater extent before, than after the adoption of those measures. The fiscal measures of the Federal administration, were but so many means of paying a debt previously contracted, and democracy has since been glad to avail itself of all the modes pointed out in this respect, by Federalism.

These specifications stand highest among the proofs of their designs. There are minor, but still grave charges in support of their existence. The celebration of Washington's birthday—a tribute of respect to the services and character of a patriot; the formal levees; the speeches delivered in person to Congress; the journies to different sections of the country; have all been harped upon as instances of attachment to the forms of monarchy, and as proofs of an intention to introduce its substance.

The ceremonies, it may be observed, can be dispensed with without impairing the *powers* of royalty. But even in such things, which derived all their importance from the clamor raised against them, parallels might be cited more glaring, in the history of most undeniable democracy. In these, therefore, as in most other respects, it is doubtful whether republicanism gained anything by the change of rulers. Much could, on the other hand, be pointed out in which it lost.

But the merits of the Federal administrations, do not require to be estimated by comparison with those which have followed. With the exception of the errors of Mr. Adams, an exception springing from an abandonment of Federal policy, the first twelve years of our constitutional government deserve, and from an impartial posterity will receive, the admiration and respect of our country. "In those days there were giants in the land." Dignified and elevated as was the character of Washington, preëminent as he stood among the great and illustrious personages of history, there were around him, and with him upon the stage of public action, others who at any time would

have been, who even then were conspicuous as monuments amidst their race; men who are found only in revolutions; who in times of fat and prosperous security, remain inert and obscure; who, appear only with the storms of State; whose ardor and patriotism are roused in proportion to the danger; whose self-reliance increases with peril, and whose resources are fertile in the same degree that they are taxed. Such were the great representatives of the Federal party, the men whose names are household words, examples for the imitation of those that come after. Blot those names from our records, and what indeed would remain!

The tone of their government was in accordance with the character of its administrators; they had considered official station, not as a reward of partisanship, but as a trust confided by the nation to those who had marked themselves worthy of the trust; they had inculcated maxims of reverence for the laws as the true loyalty of republicans; their foreign policy was distinguished by a pure and undeviating love of country, their domestic alike by ability, integrity and foresight. Firm, prudent, and honest, they indulged in no levity of resentment to other nations, nor wavered at the apprehension of danger from them. With the single object of the public good, they never hesitated to incur individual odium or misrepresentation. Their power was, however, taken from them. The confidence of the people, shaken less by open assault than by secret undermining, was withdrawn, and the government passed into the hands of its early and steadfast opponents. Then came a new race into the management of affairs. "Statesmen who possessed the secret of making liberty serve to the destruction of laws, and the corruption of morals to the overthrow of liberty, amidst the applause and joyful shouts of an infatuated populace, who expected to deliver themselves from tyranny, in shaking off the salutary yoke of order, and

ministering to the passions of demagogues."[a] Then was established a new order of things; when the unrestrained, and ungoverned passions of the mass, breaking through self-imposed restrictions, should make, interpret, and execute the law; when the Executive, as the leader of the people should disregard the voice of their representatives, and render nugatory the acts of the tribunals of justice; when party should supersede the idea of country. Most true have proved the words of one, whose warnings were then disregarded, that "there is now no barrier about right, half so strong as parchment, for even that, so long deemed impregnable, is torn."[b] To the influence of American jacobinism, sanctioned by the authority of those whom popular applause has deified, may be traced in great part, the evils of our political condition. Should the day come, when men shall look to a single despot as a refuge from the despotism of the many, it is in this demagoguism of Jefferson and his followers, that we shall find the commencement of our demoralization, and the efficient cause of our ruin.

[a] Wieland, "Agathon," Livre II., ch. I. [b] Ames' MSS.

THE END.

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ERRATA.

The following errors have been noticed, some of which are corrected in the later impressions of the work.

Vol. I. p. 177, 4th line. It is stated that Col. Pickering had been Post Master General from the organization of the office. This is incorrect. Mr. Osgood was the first Post Master General under the Constitution.

Vol. I. p. 217, first line, before the words "their abhorrence" insert "nurses."

Vol. I. p. 254, reference is made to *two* letters on the subject of British claims. Mr. Hamilton's reply was inadvertently omitted, and the error was not perceived in time for correction.

Vol. I. p. 262, 13th line from bottom, for "Congress" read "commerce."

Vol. I. p. 321, *note*, it is stated that Mr. Rutledge resigned the office of Chief Justice. He was rejected by the Senate.

Vol. I. p. 357, 17th line, for "decreed" read "dated."

Vol. I. p. 369, *note*, for "M. 189," read "III. 189"

Vol. II. p. 5, 11th line, for "1790," read "1798."

Vol. II. p. 76, 6th line, for "was" read "were."

Vol. II. p. 146, middle of page, for "ensuing Congress" read "ensuing session."

Vol. II. p. 160, 21st line from bottom, for "his eyes" read "their eyes."

Vol. II. p. 168, *title*, for "Second Session" read "Third Session."

Vol. II. p. 193, *note*, for "in reply" read "the reply."

Vol. II. p. 423, 23d line, for "to use" read "to have used"

Vol. II. p. 463, it is stated that the War Office, after Mr. Dexter's acceptance of the Treasury, was offered to Mr. Griswold. Mr. Lucius H. Stockton was first nominated, but withdrawn, and Mr. Griswold then nominated, who declined.

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